MOTION UNDER RULE 146

re : Reservation of posts in the promotional vacancies in Government Services.

MR. SPEAKER.—Now, Sri Basavalingappa will move his motion under rule 146.

SRI B. BASAVALINGAPPA.—Sir, I move :

"That the consequences arising out of the Government Order No. DPAR 15 SBC 80 dated 19th April, 1980 staying the operation of the orders issued in Government Order No. DPAR 22 SBC 79, dated 30th August, 1979 regarding the reservation of posts in the promotional vacancies in Government Services be taken into consideration"

The question was proposed

SRI B. BASAVALINGAPPA.—Sir, after I gave this motion there was a big agitation in this State by the members of the SCs/STs that there has been a great injustice done by the Government for them in the service of the State. It appears there was a writ petition challenging the order by some individuals of some departments. Subsequently, the High Court has advertently or inadvertently issued a stay order. Depending upon this interim order of the High Court, hurriedly the Government took a decision to stay the operation of the entire order applicable to all departments of the State. What does it speak of? It speaks of not the *bonafide* intention of the Government, but it is the act of the bureaucrat in the Government to stall the opportunities afforded by the Government for the members of the SCs/STs. What prevented these people from going to the High Court for vacati g the stay order before issuing general stay order to all the departments prohibiting them from giving effect to this Government order which was done by the previous Government. I say that the *bonafides* of the Government has to be questioned now. They would have delayed and examined the entire matter in detail and come to the conclusion whether a single stay order in a case should make them issue a general order applicable to the entire administration of the Government. When this stay order was issued generally applicate to the entire administration. I would like to put a question to the Chief Minister humbly whether you had exercised your mind before you have signed this order? Ido not know whether you are responsible for this stay or the beaurocrats took in themselves to issue that order to harm the interest of SCs/STs of the state services. This order dated 30th August 1979 was issued by the previous Government. There are another order of the Government issued in the year 1958 which commenced the reservation roster from unreserved vacancies.

The Government, after considering the entire matter have issued a modified order in 79 reserving the first post of the appointment to the SCs/STs· I do not think that you are against this principle of reservation and the rotation system that was already ordered by the previous Government. But the point is, whether this order is being given effect to. Sir, I may say here that the entire proposition of reservation in appointment at the initial stage as well as at the promotional stage, is being mischievously not understood and is ignored and there has been a consistent effort to deny the opportunities to Scheduled Castes, not now, but from the days when the Constitution come into effect in 1950, Sir, this is due to many things, lack of under standing of the const tutional provisions lack of *bonafide* intention to implement the provisions of the constitution, and lack of sympathies on the part of not only the bureaucrats but also on the part of the Government. Whether I was in the Government or somebody else is in the Governmet, it does not matter. This has been the common phenominon throughout the country that there has been a consistent effort to prevent the entry of the SC people or the ST people adequately in the service of the State. This applies to all other States in this country. I will now come to the point and say that there has been consistent effort not to understand the provision of the Constitution. Sir, even the rotation this roster that has been prescribed in the Government Order of 1979 even that has not been implemented. The reservation is provided and places are also shown in the rosters, even these places are not given to the members of SC and ST. Now recently the Government recruited the Assistant Commissioners, Tahsildars, Commercial Tax Officers and DSPs. In the Gazette published on 21st February 1980 the roster is given effect to but all the persons selected from among the SC and ST have been kept below the list of all the categories of post. What does it mean? It means showing one thing and doing another. There has been duplicity in the implementation of programmes to give effect to the constitutional provisions. Sir, I do not want to narrate all the things, how the bureaucrats have been trying to scuttle the provisions of the constitution. The Scheduled Castes and Tribes Commissioner in his report for the year 1977-78 has made certain observations about how the reservation and promotional posts as well as at the initial stage of recruitment and how they have ignored. That is on page 50.

"Special Studies into Service Safeguards:

3.120. Safeeguards pertaining to service matters have been provided In Article 16 (4) and 335 of the Constitution. The Commissioner for Scheduled Castes and Scheduled Tribes

under Article 338 of the Constitution is required to investigate all matters (including service safeguards) relating to the safeguards provided for Scheduled Castes and Scheduled Tribes. The provisions regarding the service safeguards made for Scheduled Caste and Scheduled Tribe employees are applicable to all Central Government Ministries/Departments/Offices, their attached and subordinate offices, state Governments and their undertakings Public Undertakings, Voluntary Agencies receiving grant-in-aid *etc.* with some variation particularly in respect of State Government Offices. From out various study reports, numerous representations received from Scheduled Caste/Scheduled Tribe employees working in Central Government Offices, State Government Offices, Public Undertakings etc., it has been observed that the existing rules/orders to protect the service interests of the Scheduled Caste/Scheduled Tribes employees are not being properly implemented/followed. To evaluate and assess the nature and extent of service safeguards being provided to the Scheduled Castes/Scheduled Tribes, this office undertakes on the spot studies in various Ministries and Departments under the Central Government, Public Undertakings, Institutes of higher learning, State Government Offices *etc.* During the year under Report, as many as 28 on the spot studies were undertaken, inspite of the fact there was no adequate staff. From the findings of the various studies the following common defects were noticed:-

(a) The rosters were not being maintained in proper order and the entries were not complete,

(b) the procedure regarding de-reservation of reserved vacancies before appointing general candidates against those vacancies was not being followed properly;

(c) carry-forward of reserved vacancies and the principle of exchange of vacancies between the Scheduled Caste/Schedule Tribes was not properly understood and followed;

(d) in the D.P. C/Selection Board Meetings, the Scheduled Caste/Scheduled Tribe officers were not associated on the plea that they were not available within the organisation,

(e) in the internal circulars and the requisitions sent to the press, in many cases, the actual number of vacancies reserved for Scheduled Caste/Scheduled Tribe candidates and the nature and extent of relaxations/concessions including the provision of payment of Travelling Allowance were not indicated properly,

(f) the requisitions sent to the Press were confined to few leading English and regional dailies in wide circulation in important cities and towns only.

(g) organisations having even several thousand employees did not have Special Cell exclusively to handle the work relating to the implementation of service safeguards provided for the Scheduled Caste/Scheduled Tribe employees where Special Cells were set up, the personnel attached with such cells were either ignorent of the existing rules/orders or were unable to ensure proper implementation of such rules/provisions for one reason or the other,

(h) in large number of undertakings the staff strength reached the saturation point and fresh recruitment was banned for one reason or the other. The reserved vacancies which were filled by promotion were being dereserved on account of non-availability of required number of eligible Scheduled Caste/Scheduled Tribe candidates in the lower categories, and

(i) in the States, the educational institutions which were being run by the voluntary organisations and were getting grants to the tune of 80 percent were not following the reservation rules.

3. 121. The main observations/recommendation in regard to the organisations studied by the Research Teams of this office during the year under Report are summarised below".

I would like to stress that the bureaucrats are slow and to try to ignore the provisions of the Constitution. What are the provisions of the Constitutions that govern the reservations of posts in appointments? Article 16 (4) 320 (4) and 46 of the Constitution of India will have to be read together, and followed. They do not read all these provisions and they do not understand the import of these provisions.

Sir, Article 16(1) and (2) of the Constitution of India speaks thus :

'(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State."

Then, Article 16(4) lays down ;

> "Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State."

Sir, to know the implementation of these provisions, the State Government constituted a committee under the Chairmanship of late Sri Beerappa, The Committee submitted its report stating that the percentage of representation in each category of appointments in the State for the members of the Scheduled Castes and Scheduled Tribes was not more than 4%, except in Class-IV Category. Then that report was taken up by the Government for consideration but it was not implemented. Now according to the recommendations of the report, the Government should have taken into consideration the backlog of vacancies due to non-recruitment of Scheduled Castes and Scheduled Tribes, so as to make adequate representation of these scheduled castes and scheduled tribes in the services. They have forgotten to take note of the recommendations of late Sri Beerappa's Committee. Later, the Governments were changed and new men came to occupy the positions of authority. Are we prevented from quoting the Constitutional provisions and urge on the authorities that the provisions of the Constitution are implemented in favour of these people, for whom the framers of the Constitution have laboured so much. What have we done for the adequate representation of these people in the services? We have not given substantial consideration to the demands and claims of these backward communities. I am not blaming the present Government alone, but I am blaming all those persons, who held offices eversince the Constitution came into effect. The present Government has taken office recently. All the previous Governments, never gave adequate consideration to this aspect of the matter.

The bureaucrats come from the society which consists of several castes and communities, who claim to be superior cast men and they happen to be in positions of authority in this country. They have managed all these 85% of the population to follow them. Even in the administration also, these or the people who come to power. There is a lack of understanding of the actual provisions of the Constitution by both the bureaucrats and men who represent the public that is the Government, the Ministers and the Chief Minister. I have been a Minister since the year 1958. I know the working of the administration. We know, how they put up notes or proposals

scuttling the provisions of the Constitution. They know also, how to prevent a class of people the entry into the administration from up. How to prevent such offices from doing all this? Article 16 (4) makes a categorical provision for the reservation of appointments or posts in favour of these backward classes including Scheduled Castes Scheduled Tribes. But, in actual implementation of this provision, they bring in the question of equality of opportnnity for all citizens. That equality of opportunity for all citizens is not absolute according to the Constitution. This provision is interpreted in such a way as to make discrimination in respect of backward class people. Then, Sir, I will take you to Article 335 which reads thus :

> "The claims of the members of Scheduled Castes and Scheduled Tribes shall be taken into consideration, in the making of appointments to services and posts in connec-tion with the affairs of the Union or of a State."

Subsequent to Sri Beerappa Committee's report, not a single committee was constituted to review the position of the reprrsenta-tion of these people in the services.

SRI Y. RAMAKRISHNA.—Why the Hon'ble member did not do it while he was in Cabinet, is the question that I pose to him.

SRI B. BASAVALINGAPPA —I am happy that the Law Minister has intervened, I was making out a point that the Governments one after another have consistently tried to ignore the provisions of the Constitution and particularly to harm the interests of these people against the specific provisions of the Constitution. That is my grievance Article 335 of the Constitution makes it clear that the adequacy or the inadequacy of these clauses in the services should be discovered. How to discover unless you constitute a Committee. Has the Government so far made any attempt after Beerappa Committee to un-earth this kind of adequacy or inadequacy of representation in the services of Government No. I do not blame you. I do not blame any Chief Minister. I have to blame the series of Governments commencing from 1950. Now I take you to article 320 of the constitution and shall read Clause 1 of that Article.

> "1) It shall be the duty of the Union and the State Public-Service Commissions to conduct examinations for appoint-ments to the services of the Union and the Services of the State respectively."

This is the procedure laid down for conducting examinations for recruiting the persons to the services. According to Article 309 of the Constitution, the Government will have to make Recruitment

Rules or the Service Rules. For this purpose they have to follow certain procedures and Rules. Now according to Article 320, Clause 4 ;

> "Nothing in clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in Clause 4 of Article 16 may be made or respects the manner in which effect may be given to the Provisions of Article 335."

What is the import of this Article Sir? Its import is that the Rules framed under Article 309 of the Constitution are not only relevant. If the Government comes to the conclusion that there is inadequacy of representations of Scheduled Castes/Scheduled Tribes in the services, then the Government can ignor the Rules, to recruit the members of SC/ST. The Government can make appointments ignoring all the Rules of Procedure laid down in any of the Recruitment Rules. This is the provision. I ask the Government and the bureaucrats particularly the Chief Secretary, who is not here, he is the Pivot in the Administration who brings all these anamolies in the functioning or giving representations to the members of Scheduled Castes/Scheduled Tribes. Article 320 Clause 4 of the Constitution is not read by any of the officers of the Government. Even if they have read it, they have not understood its import. Not only that, they have tried to neglect it. They do not put up proposals for the recruitment of these classes of people, because it helps the unfortunate persons who have been neglected for generations. There has been no effort all over the country. There has been consistent effort to ignore the Constitution. Should we not bring such people to book and punish them and send them to jail? I would like to know whether you have made any effort in this direction. Orissa Government, have passed an enactment containing the provision enjoining the unit officers in charge of recruitment to strictly give effect to the orders of reservation of posts and appointments in favour of Scheduled Castes and Scheduled Tribes, failing, which such officers to be tried and sent to jail.

SRI Y. RAMAKRISANA.—Have they passed any enactment, I would like to know.

SRI B. BASAVALINGAPPA.—Yes. They have passed an enactment. I shall give a copy to Government. Sir, we have tested the mentality of the bureaucrats from the days of the independence. We have waited patiently. And we know the minds of the bureaucrats who happens to be in power and how they behave.

SRI M. VEERAPPA MOILY.—Are we not partners to the entire system of Government? When we are also a party to it, why should we point out the bureaucrats?

SRI B. BASAVALINGAPPA.—I think Sri M. Veerappa Moily was not attentive. The bureaucrats are squarely responsible ; Ministers and the Chief Minister, whoever he is, is equally responsible for ignoring the provisions of the Constitution and committing fraud on the Constitution. There has been consistent complaint particularly from Sri S. S. Arakeri, who is now presiding here, about this matter.

SRI B. B. SAYANAK.—When Sri B. Basavalingappa was a Minister, had it not come to his notice? Now he is bringing all these matters before the House. When he was in the Ruling party, why he did not think of it?

SRI B. BASAVALINGAPPA.—I am sorry Sir, I was a member of the Cabinet, Sri Gundu Rao was a member of the Cabinet and so also Sri Y. Ramakrishna. But unless the Chief Minister is filled with zeal and patriotism to help this class of people and to uplift them from debris, a single Minister however potent he may be, becomes impotent. The present Chief Minister I feel is endowed with that zeal, patriotism and enthusiasm.

SRI R. GUNDU RAO.—If the Chief Minister himself becomes impotent, then?

SRI B. BASAVALINGAPPA.—I am sorry that Sri R. Gundu Rao has put this question. He has been my friend for many many years though parted company now, I know he is a potent person but here in this respect, I know he is potent to implement the provisions of the Constitution. There is a Roster in which there are 1 to 33 Castes. The Scheduled Castes/Scheduled Tribes are included in this Roster. When this is provided in this Roster, do you think that it is implemented?

4-00 P.M.

I do not know whether the Hon. Minister knows this. They have not implemented the roster. As a revenue Minister, I implemented it. Do you know that whether any Department has followed your G. O. whether it is in Education Department or Industries and Commerce Department and in the P. W. D.? P. W. D. is the worst Department to have ignored the claims of these castes. This roster is there, but they do not implement it. They put something to obstruct the implementation of the roster. The Chief Secretary is the first person to put this querry and unluckily, the previous Chief Minister was a party to this.

SRI Y. RAMAKRISHNA.—No doubt, that roster is there. But from what date it has to be implemented? Is it from the date of the G. O. or with retrospective effect? That has to be considered because the hon. Member is under the impression that we have not given effect to the latest roster. That is wrong. Let him verify.

SRI B. BASAVALINGAPPA.—I am happy that my friend has raised this issue. Sir, this roster has been there eversince and the Government Order of 1979 is only a substitution order clarifying the places of the Scheduled Castes and Scheduled Tribes in the roster. Does it not apply restrospectively? It does. I will read the extract from the G. O. of 1979 which says :

> The Government are accordingly pleased to direct that the roster annexed in G.O. dated 27th April 1978 shall be substituted by the roster annexed to this order and the roster annexed to this order shall be followed with immediate effect."

That means, this is only a continuation of the previous order. It is not an independent order but only the places are changed.

Now, I have come to know that there was a selection of the candidates for several posts of Tahsildars, Sub Inspectors etc What is the duty of the Government? Should they apply this order or the previous order? But they have not followed the latest order. All the candidates selected belonging to Scheduled Castes and Scheduled Tribes, are kept at the bottom of the list. Now, the list is sent back to the P. S. C., I do not know whether Sri Gundu Rao knows it or not, to revise the entire roster and send new proposals according to old roster. At present, the representation of the Scheduled Castes and Scheduled Tribes in the service of the State is grossly inadequate. What is it that the Government is going to loose if they give effect to the new roster? This is called lack of *bona fide* on the part of the executive. We cry in the House that the Scheduled Castes should be given representation. There should be upliftment of these classes etc. How can you achieve it? Can it be achieved by ignoring and interpreting mischievously the provisions of the Constitution or the Rules? Even if there is a defect in the Rule, should you not read it well? Should you not read it in favour of the weaker sections and the downtrodden? Should you read it always in favour of those persons who have been well placed in life and well represented in the services? Tell me now. This is where, I question the *bona fides* Now. I take you to the representations of these castes in Karnataka. I do not want to touch the other States of this country. Here is a Report.

SRI Y. RAMAKRISHNA.—What is that Book?

SRI B. BASAVALINGAPPA.—This is a Report of the Commissioner for Scheduled Castes and Scheduled Tribes, Part II. This should be discussed thoroughly.

SRI Y. RAMAKRISHNA.—When did you realise all these things?

SRI B. BASAVALINGAPPA.—I was talking about the potency or impotency. You were also a Minister. What did you do? I was also a Minister since 1958. You may ask me as to why I did not do it. I put the same question to you.

SRI B. B. SAYANAK.—I want to seek one clarification. If Mr. Devaraj Urs, the then Chief Minister was a champion of the down-trodden and weaker sections......

SRI R. GUNDU RAO.—On the papers.

SRI B. B. SAYANAK.—I do not know, But he was saying that he was the champion of the down-trodden, You were also a very prominent Minister in his cabinet. Why did you not raise your voice at that time?

SRI H. D. DEVEGOWDA.—How many times you are repeating this?

SRI B. BASAVALINGAPPA.—I have never attributed any motives to any person. He has talked about Sri Devaraj Urs. He is a commited man for the improvement and advancement of the backward classes and Scheduled Castes and Scheduled Tribes. We cannot turn out a leaf and say that we have done all these things. We cannot do it at once in a year or two. It is a gradual course because for several thousands of years this problem has been there. That has been hanging fire and the Governments will have to attend to these things. I praise Devaraj Urs because..................

SRI Y. RAMAKRISHNA. —You are praising Devaraj Urs.

SRI B. BASAVALINGAPPA.—I am telling what he could do and what he could not and what he stands for. Why I have chosen to stand by him?

ಶ್ರೀ ಜೆ. ಹೆಚ್. ಪಟೇಲ್.—ಸ್ವಾಮಿ, ಈ ಸಂದರ್ಭದಲ್ಲಿ ಒಂದು ಕತೆ ನೆನಪು ಬರುತ್ತದೆ. ಅದೇನೆಂದರೆ ಮೊಗಲರ ದರ್ಬಾರ್ ಕಾಲದಲ್ಲಿ ರಜಪುತ್‌ರವರು ಇಬ್ಬರು ಬಂದರಂತೆ. ಅವರು ಬಹಳ ಶೌರ್ಯರಾಗಿದ್ದರಂತೆ. ಈ ಅಕ್ಬರನ ಆಸ್ಥಾನದಲ್ಲಿ ಇವರಿಬ್ಬರೂ ಕೂಡ ತಮ್ಮ ತಮ್ಮ ಶೌರ್ಯವನ್ನು ತೋರಿಸಿಕೊಳ್ಳಲು ಯಾರು ಶಕ್ತಿವಂತರು ಅಂತ ತಿಳಿದುಕೊಳ್ಳುವುದಕ್ಕೆ ಒಬ್ಬರಿಗೊಬ್ಬರು ಕತ್ತಿ ವರಸೆ ಆಡಿದರಂತೆ. ಕೊನೆಗೆ ಏನಾಯಿತು ಎಂದರೆ ಈ ಕತ್ತಿ ವರಸೆಯಿಂದ ಅವನ ಕತ್ತಿಯಿಂದ ಇವನನ್ನು ಕೊಂದನಂತೆ, ಇವನ ಕತ್ತಿಯಿಂದ ಅವನನ್ನು ಕೊಂದನಂತೆ. ಆಮೇಲೆ ಅಕ್ಬರ್ ಬಂದು ಇಷ್ಟೇ ಸಾಕು ಅಂತ ಹೇಳಿದನಂತೆ. ಹಾಗೆ ನಮ್ಮ ಮಾನ್ಯ ಉಪ ನಾಯಕರೊಂದಿಗೆ ಶ್ರೀಮಾನ್ ವೈ. ರಾಮಕೃಷ್ಣ ಅವರು ಕತ್ತಿ ವರಸೆ ಮಾಡುವ ಬದಲು ಈ ವಿಚಾರವನ್ನು ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳಿಗೆ ಹೇಳಬೇಕು ಎಂದು ನಾನು ಒಂದು ಸಲಹೆ ಮಾಡುತ್ತೇನೆ.

ಶ್ರೀ ಬಿ. ಬಸವಲಿಂಗಪ್ಪ.—ಇಲ್ಲಿ ಕತ್ತಿ ವರಸೆ ಮಾಡಬೇಕು ಅಂತ ಏನೂ ಖಡ್ಡಾಯ ಮಾಡಿಲ್ಲ ಆದರೆ ಅವರು ಏನು ಮಾಡುತ್ತಿದ್ದಾರೆ ಅನ್ನುವುದನ್ನು ಮಾತ್ರ ಹೇಳುತ್ತಿದ್ದೇನೆ ಅಷ್ಟೆ. I am the author of the 1979 Order, You were not the author of this. So, please, listen to me. To tell about the representation of the Scheduled Castes and Scheduled Tribes in Class I and Class II posts in the Karnataka Government Services, the total number of Class I employees is 2,892 and the representation of the Scheduled Castes is only 135. It works out at 4.70%.

The percentage of Scheduled Tribes works out to 0.40. Now I come to Class-II. There are 8,598 employees, out of them the Scheduled Caste employees are 395. It works out to 4.60%. Then there are 42 Scheduled Tribes. The representation is 0.50%. I come to Class-III. There are 2,27,702 persons. Out of them 17,502 belonging to the Scheduled Castes. It works out to 7.60%. The Scheduled Tribes are 1,863 and the percentage works out to 0.80. In Class-IV there are 56,587. There are 9,727 Scheduled Caste people and the percentage works out to 17.20. Scheduled Tribes are 1,334. It works out to 0.40%. In Class-IV appointments all the sweepers are included, to which job no body comes forward to accept. When I was a Minister in charge of the Municipal Administration I threw open recruitment of sweepers to all classes of people. Since reservation should be only 18% I thought why should there be more representation for Scheduled Castes and Tribes. Nobody offered to come forward. I had increased the salary. Even then no body came forward. These people are included in this figure of 17.20% What does it speak of? These are authentic figures. The representation to the members of these classes is like this. In Class I, and Class II it is not beyond 4%. In Class III it is not beyond 7%. In Class IV it is not beyond 17.20%. Now, Sir the question is how to make up the inadequacy? Are you serious in implementing the provisions of the Constitution? If you are serious, if you are filled with zeal and patriotic feelings throw open recruitment to all these classes of posts to these people. Try to implement the provisions of the Constitution and try to recruit as many as possible to make up the inadequacy of representation in the service of the State. Make a special law. I shall come to that point how it is permissible under the Constitution to make a special provision purely for the members of the Scheduled Castes and Scheduled Tribes and to make up the inadequacy of representation in all categories of posts. Sir, I was making out a point that the provisions are not being implemented. What is the course of action? Now the bureaucracy is in charge of the recruitment. Those persons who are empowered to implement the provisions of the Constitution must do it to the last letter sincerely and faithfully and

with a sense of patriotism. From the day of independence, from the date of coming into effect of the Constitution in 1950 our experience is that there has been a commission of fraud on the provisions of the Constitution. Now even the representatives of the Government are not doing it sincerely. So the Chief Ministers who are in charge of General Administration are also not giving proper attention to this aspect. What is the result? The result is that the cry of the people is there in the air and it is not heeded to and nobody cares for them. Until all these people becomes aware of their rights and aware of the way to fight for their rights and assert their rights this problem cannot be solved.

ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್.—ಸ್ವಾಮಿ, ಈಗ ಒಂದು ಗಮನಾರ್ಹವಾದ ವಿಚಾರವನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರು ಎತ್ತಿ ತೋರಿಸಿದರು. ಏನೆಂದರೆ, ಇಂತಹ ಅನ್ಯಾಯಗಳು ನಮ್ಮ ರಾಜ್ಯಾಂಗ ಹುಟ್ಟಿದಾಗಿನಿಂದಲೂ ನಡೆದುಕೊಂಡು ಬರುತ್ತಲೇ ಇದೆ ಎಂದು. ಆದ ಕಾರಣ ಇದರ ಬಗ್ಗೆ ಯಾರು ಯಾರನ್ನು ಆಕ್ಷೇಪಣೆ ಮಾಡಬೇಕೆಂದು ಅವರೇ ಪ್ರಶ್ನೆ ಹಾಕಿಕೊಂಡಾಗ ಮಾನ್ಯ ಮಂತ್ರಿಗಳಾದ ಶ್ರೀ ರಾಮಕೃಷ್ಣ ಅವರು ಇದು ನಿಮಗೆ ಯಾವಾಗ ಗೊತ್ತಾಯಿತು ಎಂದು ಅವರನ್ನು ಪ್ರಶ್ನೆ ಮಾಡಿದರು. ಇದಕ್ಕೆ ಉತ್ತರ ಹೇಳಬೇಕೆಂದರೆ, ಎಲ್ಲರಿಗೂ ಯಾವಾಗ ಗೊತ್ತಾಗಬೇಕೋ ಆಗಲೇ ಗೊತ್ತಾಗಿದು. ನಮ್ಮ ಒಂದು ಹಕ್ಕಿಗೆ ಧಕ್ಕೆ ತರುವುದಕ್ಕೆ ನೀವು ಯಾರು ಎಂದು ಸಂಬಂಧಪಟ್ಟವರು ಕೇಳುವವರೆಗೂ ಇವರು ಈ ರೀತಿಯ ಅನ್ಯಾಯಗಳನ್ನು ಮಾಡುತ್ತಲೇ ಇರುತ್ತಾರೆ. ಈಗ ಈ ಜನರಿಗೂ ತಮ್ಮ ಒಂದು ಹಕ್ಕು ಭಾಧ್ಯತೆಗಳೇನೆಂದು ತಿಳಿಯುತ್ತಿದೆ, ಅರ್ಥವಾಗುತ್ತಿದೆ. ಆದಕಾರಣ ಇನ್ನು ಬಹಳ ಕಾಲದವರೆಗೆ ಈ ಜನರ ಒಂದು ಹಕ್ಕನ್ನು ಮುಚ್ಚಿಡಲು ಯಾರಿಂದಲೂ ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಒಂದು ವೇಳೆ ಆ ರೀತಿ ಏನಾದರು ಮಾಡಿದರೆ, ಮಾಡಿದವರು ಅದನ್ನು ಡಿಫೆಂಡ್ ಮಾಡಿಕೊಂಡು ಬದುಕುವುದು ಕಷ್ಟವಾಗುತ್ತದೆ. ಅಂತಹ ಒಂದು ಕಾಲ ಸನ್ನಿಹಿತವಾಗುತ್ತಿದೆ. ಆದ್ದರಿಂದ ಮಾಡಿರುವ ತಪ್ಪುಗಳನ್ನು ಬೇಗ ತಿದ್ದಿಕೊಳ್ಳಿ ಎಂದು ಅವರು ಸಂಬಂಧಪಟ್ಟವರಿಗೆಲ್ಲಾ ಹೇಳಿದ್ದು.

SRI B. BASAVALINGAPPA.—I was making out a point that our experience is bitter about the functioning of the bureaucrats and the Governments also all over the country. Now how to rectify it ? We have passed the Civil Services Act. I do not know why the Governor has not given assent to it so far. Unless you make a provision to penalise those officers who try to commit fraud on the provisions of the constitution I do not think that any provision can be implemented. Now what happens is that any person committing impropriety goes scot-free and he need not care for the Government. The other day we were discussing about the Public Library. What are the attrocities in the appointments committed by the Librarian there ? We will discuss this matter here. It is before the House. He freely goes on appointing persons temporarily and wants to regularise them. He does not care for the reservation and for the provisions of the constitution. What is to be done for this ? Sir unless you penalise all those people and send them to the jail for not implementing the provisions of the constitution, I do not think that the provisions of the constitution. can be implemented properly. We have had enough of these people. We have heard enough, we have

experienced enough and we should not just depend upon the mercy of the bureaucrats of the Government whoever they may be Unless we take a very stern stand about this. I do not think that the provisions of the constitution can be implemented.

Sir, in Public Works Department there has been a conspiracy to deprive the rights of the Scheduled Caste people eversince 1962. There has been no recruitment at all for years together. The result being that peoples who have come from integrated areas have been promoted to higher posts thus depriving the legitimate right of the Scheduled Caste people. I will now just read the statistical figures and representation given to Scheduled Caste people in each of the categories of posts. There are 30 Chief Engineers in this Department. As per 18% reservation, 5 posts should have gone to Scheduled Caste People. But only 2 people have been accomodated. That apart, the P. W. Department had promoted some of the persons as Chief Engineers as they have completed 2 years of service in the cadre of Executive Engineers. Whereas in the case of Scheduled Caste people even though they have put in two years of service their cases were not considered because rules did not permit to promote them. I do not know why such a hasty decision was taken. My submission is that they could have applied the Constitutional Provision *i e.*, Art. 320(4) and promoted them to the higher posts. Therefter, Government could have regularised their services by amending the Serive Rules of the Department. They have not done that job.

SRI Y. RAMAKRISHA.—How do you get over Art.335 of the Constitution.

SRI B. BASAVALINGAPPA.—That can be done to fulfill the inadequate representation of these class of people. Now, it has become a practice to consider the efficiency to promote a person to the higher posts. I would like to know who is to give the efficiency certificate. Who decide that ?

SRI C M. ARUMUGHAM.—We are all aware eversince 1950 several Public Undertakings in the State are running on loss. In all those Public Undertakings the Scheduled Caste people have not been represented and have not occupied important managerial posts. So much so how do you say that if a scheduled caste manis included the efficiency will come down. What is the answer to the losses incurrd by various Public Undertakings ? Who is responsible ? Is it Scheduled Caste people ? Can you say that these Public Undertakings are running because of efficient people occuping important posts ? My plea is if you don't offer opportunity to this class of people how can they be

able to show their efficiency in various fields of administration ? How can they prove their ability to discharge their administrative duties ?

SRI Y. RAMAKRISHNA.—So long as provisions exist in the Constitution, we have to respect them and implement them as per the guidelines given in the Constitution.

SRI B. BASAVALINGAPPA.—Sir, my friend Sri C. M. Arumugham was talking about the efficiency. What is efficiency ? What does it mean ? I have been in the Ministry since 1958. I know most of the Officers in this Government. Who is to give efficiency certificate ? Those persons who are considered inefficient, they will give the efficiency certificate. Supposing if a person serve in a department or in a post for a period of 15 or 20 years does not possess efficiency to discharge his function when he is promoted to higher post ? Here I would like to know who is authorised to give efficiency certificate ? My submission is we must remove this relative term from the rules. Because it is difficult to define the word 'efficiency'. I am here for the last 20 years. Who gave me the efficiency certificate. The people of this State have to give me the efficiency certificate. Likewise in the case of public servant the officers will have to give efficiency certificate as per the provisions or the rules as the case may be. The Officers are trying to interpret the provisions of the Constitution to the disadvantage of these people. What is the motive behind it ? I do not know. The Hindu society consists of caste and sub castes and as I have already submitted almost all the higher posts are being occupied by the people belonging to higher castes. It is not occupied by the Scheduled Caste people ; it is not occupied by the downtrodden. So, people belonging to higher caste are in the higher sotto and they will give the efficiency certficate. Supposing, now, if a Scheduled Caste man were to be the Chief Secretary to the Karnataka Government, then, he should have given efficiency certificate to these class of people. If a Lingayat were to be the Chief Secretary, he should have given efficiency certificates to his community people. So the term 'efficiency' will remain as long as caste system continues to be in our society. Therefore let us not project the caste bias into the administration. I have been in the Ministry ever since 1958 I have been telling the Officers to encourage the people belonging to Scheduled Caste and put them in good position so that they could also have an opportunity to serve the nation and the people as a whole. I, therefore, request the Chief Minister to remove the caste bias in the administration and punish those officers who are trying to project the caste bias into the administration. You should introduce

a penal clause for sending them to jail if they commit such mistakes while considering the cases of Scheduled Caste people in appointment and promotional vacancies in all the Departments. Unless we introduce such measures we cannot run the administration to the satisfaction of the people in this country.

As regards representation to Scheduled Caste People I was giving the figures in respect of Public Works Department. There are 70 Superintending Enginners. As per the percentage there should be 11 Superintending Engineers, but there are only 7 Scheduled Caste people. Then, there are 252 Executive Engineers, there should have been 43 people, but, there are only 29 Scheduled Caste Fxecutive Engineers. Now, I come to the last category ie., Asst. Executive Engineers. There are 1,328 posts, According to the percentage 239 posts should have gone to Scheduled Caste people. But there are only 42 and the percentage comes 3.16% instead of 18%. Then, there are 2,631 Junior Engineers. 560 posts should have been given to Scheduled Caste people. But there are only 242–8.49%. This is the position. Now, how do you fill up the backlog? This is because in Public Works Department recruitment has not taken place eversince 1962. In that background we have issued a Goveanment Order to recruit 25 Assistant Engineers through direct recruitment to fill the backlog. Against this order some people went to the High Court and got the stay order. Till now no effort was made by the Government to vacate the stay order granted by the High Court. The matter is now pending before the High Court.

4.30 P. M.

Sir, we tried to take decisions regarding 350 and odd Junior Engineers. Some politics came in and the promotions were proposed, recommended and approved by the Cabinet also. The Hon'ble Chief Minister was also there. What was the background and who is responsible, I do not know. But the fact remains that there has been a consistent effort on the part of the Government as well as bureaucrats to prevent the entry of Scheduled Castes people in the Government services. I do not know why and for what purpose. If a particular class is represented in Government services, does it mean that the entire State is happy and all people are happy ? No. Sir, I appeal to you that all communities must be represented in Government Service, in Karnataka. There are Scheduled Castes' Muslims, Brahmins, Lingayats, Vokkaligas and other communities in Karnataka. Lingayats and Vokkaligas are important communities in Karnataka. But is there any representation for these people in the IAS Cadre ? There may be adefect in the recruitment to IAS cadre. We have been tolerating

it. A time must come when we should reject this recruitment and recruit our own men for IAS. There mey be hardly one or two persons belonging to Vokkaliga and Lingayat community in the IAS cadre. The senior people have retired, but there is no representation for these communities. I had made a proposal as to why we should not think of recruiting this class of people and give fair and balanced representation to them.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಐ.ಎ.ಎಸ್. ಐ.ಪಿ ಎಸ್. ಸೀನಿಯರ್ ಆಫೀಸರ್ಸ್ ಬಗ್ಗೆ ನಾನು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ, ಒಂದೇ ಒಂದು ಪ್ರಶ್ನೆ ಕೇಳುತ್ತೇನೆ. ಪ್ರಮೋಷನ್ ಕೋಟಾ ಭರ್ತಿಮಾಡುವಾಗ ಯಾವ ಸಮಾಜಕ್ಕೆ ಇವತ್ತು ನ್ಯಾಯ ಸಿಕ್ಕಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತಿದ್ದೀರಿ, ತಾವು ೭–೮ ವರ್ಷಗಳ ಕಾಲ ಸರ್ಕಾರ ನಡೆಸಿದವರು. ಪ್ರತಿ ವರ್ಷ ಪ್ರಮೋಷನಲ್ ಕೋಟಾವನ್ನು ತುಂಬುತ್ತಾ ಇದ್ದಿರಿ. ಆಗ ಈ ಸಮಾಜಕ್ಕೆ ನ್ಯಾಯ ದೊರಕಿಸಿಕೊಡುವ ಬಗ್ಗೆ ತಮ್ಮ ಗಮನ ಹರಿದಿರಲಿಲ್ಲವೇ ?

SRI B. BASAVALINGAPPA.—I have made a categorical admission that this Government or the previous Government or any other Government have committed impropriety in implementing the provisions of the Constitution.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನಲ್ ಪ್ರಾವಿಜನ್ಸ್‌ನ್ನು ಇಂಪ್ಲಿಮೆಂಟ್ ಮಾಡುವುದರಲ್ಲಿ ಅಕ್ರಮವಾಗಿರುವುದರ ಬಗ್ಗೆ ತಾವು ಭಾಷಣ ಮಾಡುವುದಕ್ಕೆ ಮೊದಲೇ ನಾನು ಹೇಳಿದ್ದೇನೆ. ತಮ್ಮ ಭಾಷಣದ ಪ್ರತಿಯೊಂದು ಅಂಶಗಳನ್ನೂ ಗಮನದಲ್ಲಿಟ್ಟು ಕೊಂಡು ಕೇಳುತ್ತಾ ಇದ್ದೇನೆ. ಪ್ರಮೋಷನಲ್ ಕೋಟಾ ಕೊಡುವಾಗ ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನಲ್ ಪ್ರಾವಿಜನ್ಸ್‌ಗೆ ಭಾರಿ ಧಕ್ಕೆ ಏನೂ ಬರುವುದಿಲ್ಲ. ಈ ಬಗ್ಗೆ ಪ್ರಾಸಂಗಿಕವಾಗಿ ಪ್ರಸ್ತಾಪಮಾಡುತ್ತಾ ಅವರು ಹೇಳಿದರು. ನಾನು ಅದರ ಬಗ್ಗೆ ವಾದ ವಿವಾದಕ್ಕೆ ಇಳಿಯುವುದಿಲ್ಲ. ರಾಜ್ಯಸರ್ಕಾರದ ಒಂದೆರಡು ಐಎಎಸ್, ಐಪಿಎಸ್ ಹುದ್ದೆಗಳಿವೆ, ಎಲ್ಲಾ ದರ್ಜೆಗಳಲ್ಲಿರತಕ್ಕ ಪ್ರತಿನಿಧಿಗಳನ್ನೂ ಪರಿಶೀಲನೆಮಾಡುವುದಾದರೆ ಚರ್ಚೆ ಮಾಡಬಹುದು. ಮೊದಲು ನಿಮ್ಮ ಕೈಯಲ್ಲೇ ಇತ್ತು, ಇಡೀ ಕರ್ನಾಟಕದಲ್ಲಿ ಒಬ್ಬ ಒಕ್ಕಲಿಗ ಅಧಿಕಾರಿ ಇರಬಹುದು. ಸರ್ಕಾರದಲ್ಲಿ ೮ ವರ್ಷ ನೀವು ಇದ್ದಿರಿ, ಶ್ರೀಮಾನ್ ದೇವರಾಜ ಅರಸ್ ಅವರೂ ಇದ್ದರು. ಆಗ ಇದರ ಬಗ್ಗೆ ಏಕೆ ಗಮನಹರಿಸಲಿಲ್ಲ. ಪ್ರಮೋಷನಲ್ ಕೋಟಾನಲ್ಲಿ ಇವರಿಗೆ ರೆಪ್ರೆಸೆಂಟೇಷನ್ ಕೊಡುವುದಕ್ಕೆ ಏನು ಕಷ್ಟವಿತ್ತು ? ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನಲ್ ಪ್ರಾವಿಜನ್ಸ್‌ಗೆ ಯಾವುದೇ ಒಂದು ಧಕ್ಕೆ ಬಂದಂತೆ ಇರಲಿಲ್ಲ.

SRI B. BASAVALINGAPPA.—It is a very relevant question. I have been often repeating my inability about it.

ಶ್ರೀ ಜೆ. ಎಚ್. ಪಟೇಲ್.—ನಿಮ್ಮ ಮಂತ್ರಿಮಂಡಲದಲ್ಲಿ ನೀವು ಹೇಗೆ ಇಂಪೋರ್ಟೆಂಟ್ ಆಗಿ ಇದ್ದರೋ ಹಾಗೇ ಒಕ್ಕಲಿಗರು ಮತ್ತು ಲಿಂಗಾಯಿತರೂ ಇದ್ದರಲ್ಲ ಅವರೂ ಇಂಪೋರ್ಟೆಂಟಾಗಿ ಇದ್ದರೇ ಸ್ವಾಮಿ ?

ಶ್ರೀ ಮೈಕೇಲ್ ಬಿ. ಫರ್ನಾಂಡಿಸ್.—ಅವರು ಇಂಪಾರ್ಟೆಂಟ್ ಮಿನಿಸ್ಟರಾಗಿದ್ದರು.

ಶ್ರೀ ಎಚ್. ಸಿ. ಶ್ರೀಕಂಠಯ್ಯ.—ಮಾನ್ಯ ಬಸವಲಿಂಗಪ್ಪನವರು ಆಗ ಒಕ್ಕಲಿಗರ ಬಗ್ಗೆ ಚಿಂತನೆಯನ್ನೇ ಮಾಡುತ್ತಾ ಇರಲಿಲ್ಲ. ಈಗ ಪ್ರಾಸಂಗಿಕವಾಗಿ ಭಾಷಣದಲ್ಲಿ ಹೇಳುತ್ತಿದ್ದಾರಷ್ಟೆ.

SRI B. BASAVALINGAPPA.—Sir. I expected my Hon. friend Sri H. C. Srikantaiah to be fair to me. I have pleaded, pleaded, argued and discussed this matter over and over again in the Cabinet. I request him not to utter lies here.

SRI H. C. SRIKANTAIAH.—Sir, when we wanted to get his things done he was talking about it.

SRI B. BASAVALINGAPPA.—I was pleading this case, but Sri Srikantaiah never pleaded for this case. He was not supporting me.

Sir, I was making out a point that we must stop the recruitment of IAS Officers.

SRI R GUNDU RAO: (Chief Minister).—Was I supporting you ?

SRI B. BASAVALINGAPPA —Yes. Therefore, I am labouring so much only to convince the Chief Minister. Before I come to my last point, I would like to read Article 46 of the Constitution :—

> " The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation "

How do you improve their condition ? If you do not take cumulative effect of these Provisions pertaining to the welfare of the SCs and STs and give real meaning to the provisions, how do you think of formulating any plans and programmes for their benefit ? Sir, there has been a scarcity in the applicability of these provisions by the bureaucrats to take the cumulative effect of all these provisions. I would like to impress upon the House that at least we must make a beginning now and tell the entire country that in Karnataka we want to implement all the provisions of the Constitution pertaining to the welfare of the SCs/STs. Dr. Ambedkar said that if the provisions of the Constitution are not implemented by the Governments, let the Constitution be burnt to ashes. We have made provisions to uplift this class of people to the level of the well placed people. But what is it that is being done ? No person implements the provisions sincerely. Everybody tries to digress and to try to give wrong meaning to these provisions and misguide the people.

Sir, the other point which the bureaucrcy has been facing is about the posts and appointments. They say the posts and appointments are synonymous. They are not different. As ignorant people when we hear the interpretation of bureaucrats we say 'yes'. They say that they mean the same thing and they do not import two different meanings.

This is a lapse on the part of all the Governments. By reading wrong meanings to all these things, they have tried to prevent the representation to these classes in the services. Sir, appointments are different and posts are different. Appointments are made at the initial stage and the posts are at the promotional stage. I would like

to read a paragraph from the judgment of the Supreme Court in General Manager, Southern Railways Vs. Rangachari- AIR 62, Supreme Court, Page 36. I would only like to read para 34. This was delivered by the great jurist and judge, Dr. Gajendragadkar. It reads thus :—

> " This brings me to the question as to how the reservation is to be made Art 16 (4) tells us that it may be made either by reserving appointments to the services or reserving posts in the services. Appointments in my opinion clearly mean the initial appointments to a service, for a person is appointed only once in a service and thereafter there is no further appointment Therefore, when the Article speaks of reservation of appointments it means reservation of a percentage of initial appointments to the service. Posts refer to the total number of posts in the service and when reservation is by reference to posts it means reservation of a certain percentage of posts out of the total number of posts in the service. The reason why these two methods are mentioned in this Article is also to my mind plain. The method of reservation of appointments would mean that the goal of adequate representation may be reached in a long time. Therefore, in order that the goal may be reached in a comparatively shorter period of time, the Article also provides for the method of reservation of posts. This will be clear from an example which I may give. Suppose there are 1000 posts in a particular service and the backward classes have no representation at all in that Service, the State considers it necessary that they should have adequate representation in that Service. Suppose also the annual appointments to be made to the service in order to keep it at full strength is thirty. Now the State if it chooses the method of reservation of appointments will reserve a percentage of appointments each year for backward classes. Now suppose that percentage is fixed at ten per centum. In order therefore to reach the ten percentum of the total number of posts in the service by the method of reservation of appointments, the period taken would be roughly 34 years."

I am making out a point that the appointments and posts are totally different and this is now mistaken by the bureaucrat. While interpreting these provisions, they say, posts are nothing to do and posts are only synonymous with the appointments. That is the interpretation given by them.

SRI Y. RAMAKRISHNA.—I have gone through all these things...

SRI B. BASAVALINGAPPA.—You have come afresh. Please deal very carefully with these people. You have to tell them how to do as per the Supreme Court's judgment.

It says further:"

> This period may be considered too long and therefore the State may decide to adopt the other way *i. e.*, the reservation of posts; and suppose it is decided to reserve ten per centum of the posts *i.e.*, 100 in all. It will then be open to the State having reserved 100 posts in this particular service for backward classes to say that till these 100 posts are filled up by backward classes all appointments will go to them provided the minimum qualifications that may be prescribed are fulfilled. Suppose, further that it is possible to get annually the requisite number of qualified members of backward classes equal to the annual appointments, the representation of the backward classes will be made adequate in about 4 years Once the representation is adequate there will be no power left for making further reservation. Thus by the method of reservation of appointments the representation is made in a adequate in a long period of time while by the method of reserving posts the representation is made adequate in a much shorter period. That seems to be the reason why the Article speaks of reservation of appointments as well as of posts."

Now what is being done ? Till the roster and the reservation in promotional posts came into existence here in Karnataka, there was no reservation of posts all these years and years; ever since the date of the Constitution, no reservation in promotional posts because they misinterpreted that the appointments are nothing to do with the posts and they are synonymous and therefore, the reservation should be at the recruitment stage only and not at the promotional stage.

Then, I would like to read another judgment of the Supreme Court-AIR 1971, Supreme Court 1777 State of Punjab Vs. Hira Lal. In Para 10, it has been stated thus:—

> "The extent of reservation to be made is primarily a matter for the State to decide...

Because they said in the first sentence itself how the Government had to take the decision after knowing the inadequacy of the representation, and all that.

It reads :

"...By this we do not mean to say that the decision of the State is not open to judicial review. The reservation..."

The decision of the Government is not subject to the judicial review. You take any decision to make up this adequacy.

I will read this judgment further. It says :

"The reservation must be only for the purpose of giving adequate representation to the Scheduled Castes, Scheduled Tribes and Backward Clases The exception provided in Art.16 (4) should not make the rule embodied in Art. 16 (1) meaningless. But the burden of establishing that a " particular reservation made by the State is offensive to Art.16 (1) is on the person who takes the plea. The mere fact that the reservation made may give extensive benefits to some of the persons who have the benefit of the reservation does not by itself make the reservation bad. The length of the leap to be provided depends upon the gap to be covered. As observed by the majority in Rangachari's case (1962) 2 SCR 586-(AIR 1962 SC 36):

"The condition precedent for the excercise of the powers conferred by Art. 16 (4) is that the State ought to be satisfied that any backward class of citizens is not adequately represented in its services. This condition precedent may refer either to the numberical inadequacy of representation in the services or even to the qualitative indequacy of respresentation. The advancement of the socially and educationally backwared classes requires not only that they should have adequate representation in the lowest rung of services but that they should aspire to secure adequate representation in selection posts in the services as well. In the context the expression "adequately represented" imports considerations of 'size' as well as 'values' numbers as well as the nature of appointments held and so it involves not merely the numerical and a qualitative test that the adequacy or otherwise of the representation of backward classes in any service has to be judged; and if that be so, it would not be reasonable to hold that the inadequacy of representation can and must be cured only by reserving a proportionately higher percentage of appointments at the initial stage. In a given case the State may well take the view that a certain percentage of selection

posts should also be reserved, for reservation of such posts may make the representation of backward classes in the services adequate. the adequacy of such representation being considered qualitatively.''

Sir, they have only upheld the earlier decisions of the Supreme Court.

SRI B. B. SAYANAK.—Sir, I want one clarification. We are supporting you for adequate representation to SCs/STs. I want to know whether this representation should be given with merit or without merit. Another thing is that there was a discussion on this subject in our Assembly, and some Members have stated that SCs/STs people should not be appointed as teachers because the standard will go down. I would like to point out one case, There was one Scheduled Cast teacher in Maratha Mandal School at Belgaum, he had gone to take a lesson in English. He had written plural of boy as 'boyies', and then all the students laughed at him. Afterwards, he left the classroom and went to the Head Master and said that he has written plural of the word 'boy' as boyies. Then, the Head Master also said that it was wrong. Therefore, I want to know whether you would give like to adequate representation with merit or without merit ?

SRI B. BASAVALINGAPPA.—Are you a student of logic ? Drawing an inference from a particular case to the general conclusion is as bad as he argues.

SRI K. H. SRINIVAS.—If my hon. friend Sri Sayank is asked to teach grammar to a set of students, I think he will meet with a worser predicament than the Scheduled Caste teachers.

SRI B. BASAVALINGAPPA.—In support of this, I would like to quote the latest judgement of the Supreme Court, reported in AIR, Page 490, *i.e.*, the State of Kerala and another, Appellants Vs. N. M. Thomas and others, Respondents. I would like to read the head lines only.

SRI Y. RAMAKRISHNA.—All these things are not necessary.

SRI B. BASAVALINGAPPA.—I am reading this for the benefit of the entire State and the House. If you know, it is alright. My complimts and grievances are that this has not been properly understood tseheih2) cvous bureaucrats of the State. The case deals with ticles 16, 46 and 335 of the Constitution.

It reach thus :—

"Under Article 16 there can be reasonable classification of the employees in matters relating to employment or appointment. Article 16 (1) does not prohibit the prescription of reasonable rules for selection to any employment or appointment to any office. In regard to employment, like other terms and conditions associated with and incidental to it, the promotion to a selection post is also included in the matters relating to employment and even in regard to such a promotion to a selection post all that Article 16 (1) gurantees is equality of opportunity to all citizens. Article 16 (1) and (2) give effect to equality before law guaranteed by Article 14 and to the prohibition of discrimination guaranteed by Article 15 (1). Promotion to selection post is covered by Article 16 (1) and (2). The power to make reservation which is conferred on the State under Article (4) can be excercised by the State in a proper case not only by providing for reservation of appointments but also by providing for reservation of selection posts."

My only plea is that the posts and appointments are two distinct categories. If you take stock of the entire services in the State, you will understand the adequacy or inadequacy of representation of these classes and reserve posts not only at the initial stages of recruitment but also at the promotional stages. Now, give them the Employment roaster; donot allow your bureaucrats to answer mischievously against those provisions, and do not allow your bureaucrats to see that your Government Order is nullified or rendered meaningless. I wanted to tell this to the House. I have taken all the time of the House only to impress upon the Government about these things. Let not this Government give any scope to bureaucrats to go against the provisions of the Constitution. Therefore, I only request the Government to promote them not only to Class-I upto junior post, but also upto senior scale. There was some difficulty even in the 1979 Government Order also, as it provides promotions upto junior scale only. For example, there are qualified Superintendent Engineer who cannot be promoted because this reservation order provides upto only Junior class-I. Therefore this Government has got to modify the 1979 Government Order to include all classes of posts. After passing the order, if anybody tries to hesitate to implement the order to the last letter of the law, than penalise them. Any Officer or any Government servant who tries to do such things or commit fraud, penalise him and send him to jail. Unless you do it, I do not think that we can achieve what is provided for in the Constitu-

tion. I am glad that the youth of this country are coming up, who believe in certain things. Now, Sri Gundu Rao represents the youth. I appeal to him please forget whether Basavalingappa has done or not done. Please pass an order and take a decision according to the provisions of the Constitution. Tell your Officers not to interpret the order to the disadvantages of this class of people who have been neglected for ages and ages, not only in services, but in all fields and in all activities of the nation. Now, atrocities are being committed on them. Let it go on. I have not given any statement about the burning of Scheduled caste people. I did not give any statement because I have said and expressed my view on an earlier occasion that "atleast 50 of the Schuduled caste people be killed and butchered by the non-Scheduled Caste people so that the balance of 50% Scheduled caste peoole will take care of the future generation to their advantage, as those people are capable of producing and making good the loss within next few years of time."

5-00 P. M.

I appeal to you please don't give any room for the people, who have been oppressed; who have been downed to the earth, to revolt against this society. Now whatever has been there, it is within the knowledge of persons. But let not the people be driven to a grinding halt and take decision and take law into their own hands to achieve whatever they want. I hope and believe that this Government will bestow its thought and attention on the basic imperative as provided in the provisions of the Constitution. Please pass suitable orders supers ending all the previous orders and then impliment it in all the Departments. Those departments where this has not been implemented, please send them to jail.

SMT. PRAMILA.—Under what provision ?

SRI B. BASALINGAPPA.—In the education Department this has not been implemented. In the PWD, and the Industries Department also.

SRI G. B. SHANKAR RAO.—If it is not implimented, please give me the correct poiition. You cannot say off-hand.

SRI B. BASAVALINGAPPA.—I am thankful to Sri G. B, Shankar Rao who intervened. I wanted him to intervene. Dear friend, you have become a minister. Please take stock of your department the employment potential, the service of your department and tell me before the end of the session whether you have implemented this roster, and give promotional opportunities. If you have implemented I will openly congratulate, or else, would you resign ? Please don't assert what you don't know. In his enthusiasm to defend he is

getting into the clutches. My friend, don't get into the pit. Please verify and tell me. If you want figures I will give you tomorrow to show now your officers have neglected. The Chief Minister is listening; I am very thankful to him. I hope he will take stock of all these things and issue suitable orders.

SRI M. C. NANAIAH (Madikeri) :—Mr. Speaker. after hearing my Deputy Leader for more than one hour, the one thing that he has revealed to-day to this House is the state secret which nobody has revealed so far. Sri B. Basavalingappa who was a Minister all along, right from 1958 onwards for more than 20 years, revealed one state secret to be told to the people of Karnataka that as long as he was a Minister in the Cabinet he was under the clutches of bureaucracy. Therefore he could not extricate himself from these mischievous bureaucrats. His dispassionate appeal to the present Government headed by the youthful Chief Minister Sri R. Gundn Rao is that the present Government is free from the clutches of the bureaucracy. It is a compliment to the present Government. He has confessed his inabilility.

SRI B. BASAVALINGAPPA : I am only giving out my suggestions. I am thankful to him.

SRI M. C. NANAIAH : I am waiting and watching how and to what extent the Gudu Rao Government is going to do it and implement the provisions of the Constitution.

ಶ್ರೀ ಎಂ ಶ್ರೀನಿವಾಸ್.—ಮಾನ್ಯ ಬಸವಲಿಂಗಪ್ಪನವರು ಯಾವ ಯಾವ ಇಲಾಖೆಯಲ್ಲಿ ೧೮ ಪರ್ಸೆಂಟ್‌ಗಿಂತ ಕಡಿಮೆ ಪ್ರಾತಿನಿಧ್ಯ ಹರಿಜನರಿಗೆ ಇದೆ ಎಂಬುದನ್ನು ಹೇಳಿದರು. ನಾನು ಕೇಳುವುದೇನೆಂದರೆ ಹರಿಜನರಲ್ಲಿ ಎಂ.ಬಿ.ಬಿ.ಎಸ್. ಪಾಸ್‌ಮಾಡಿ, ಇಂಜಿನಿಯರಿಂಗ್ ಪಾಸ್ ಮಾಡಿ, ಮತ್ತು ಬಿ.ಎಡ್ ಪಾಸ್‌ಮಾಡಿ ನಿರುದ್ಯೋಗಿಗಳಾಗಿದ್ದಾರೆ ಎಂಬ ಅಂಕಿಅಂಶ ಇದೆಯೇ ಎಂದು.

ಶ್ರೀ ಬಿ. ಬಸವಲಿಂಗಪ್ಪ.—ನಾನು ರಾಜ್ಯಾಂಗದ ಪ್ರಕಾರ ಮಾಡಿ ಎಂದು ಹೇಳಿದ್ದೇನೆ. ಯಾವ ಯಾವ ಜಾತಿಯವರು ಏನೇನಾಗಿದ್ದಾರೆ ಎಂಬುದನ್ನು ಕಂಡುಹಿಡಿಯುವುದು ನನ್ನ ಕೆಲಸವಲ್ಲ, ಸರ್ಕಾರದ ಕೆಲಸ, ನಿಮ್ಮ ಕೆಲಸ.

ಶ್ರೀ ಎಂ. ಶ್ರೀನಿವಾಸ್.…ಹರಿಜನ-ಗಿರಿಜನರಲ್ಲಿ ಪಾಸಾಗಿ ಅರ್ಹತೆಯುಳ್ಳವರು ಇದ್ದರೆ ತಾನೇ ಅವರಿಗೆ ಕೆಲಸ ಕೊಡುವುದು. ಪಾಸಾದವರೇ ಇಲ್ಲದಿದ್ದರೆ ಯಾರಿಗೆ ಕೆಲಸ ಕೊಡುವುದಕ್ಕಾಗುತ್ತದೆ, ಹೇಗೆ ಕೊಡುವುದಕ್ಕಾಗುತ್ತದೆ ?

MR. C. M. ARUMUGHAM :—Sir, Sri B. Basavalingappa has covered a wider ground with regard to the SC and ST representation in the Government Service. Therefore I confine myself to the Government Order, that is, making reservations in promotions. The Karnataka Government, when Sri D. Devaraj Urs was the Chief Minister, have issued the order in April 1978 making reservation in promotion for the first time. Of course, I cannot attack them of praise them

because prior to it the U. P. Government have made reservation in promotions in 1972. Similarly the Government of Bihar, Rajasthan, Maharashtra and in fact the Kerala Government have also done long long back. But while issuing the order for reservation in promotion, this Government restricted the promotion upto Class I Junior whereas the UP Government made this reservation upto Class I Senior including IAS in 1972. After 30 long years, the Scheduled Caste could not get their persentage to 15 and 3. Sri B. Basavalingappa and Sri D. Devaraj Urs while in Government have done a great injustice for the SC for the last 8 years. What is the injustice ? You may ask. The quota of 15 and 3 was fixed in 1950 when the Constitution came into force. But that is reduced to 13½ and one third and 2 1/3 in 1972. This has been brought to the notice of Sri B. Basavalingappa, Sri G. Havanur and Sri K. H. Ranganath, who was No. 2 in the Devaraj Urs Cabinet.

Sir, now the Scheduled Castes and Scheduled Tribes are getting 18% reservation. The Scheduled Caste reservation problem is not only for Arumugham but it is for all the members. The Committee on Welfare of Scheduled Castes and Scheduled Tribes agitated and now the reservation has been restored. I personally complement Sri R. Gundu Rao for having restored it. Now, we are getting. But, in the past *i. e.*, during the last 8 years, thousands of appointments were made by the Public Service Commission. The Chairman of the Public Service Commission, I believe, is from Scheduled Caste. Even, he has not raised this point. They have lost hundreds of seats during the last eight years. The Scheduled Castes have been deprived of the opportunities because of some bureaucrats, who implement the policy. The bureaucrats have misguided. In the list of misguided persons, number one is Sri D. Devaraj Urs & also Sri B. Basavalingappa, an intelligent leader in Karnataka, and No. 2 is Sri K. H. Ranganath, who cares very little for these Scheduled Castes and Scheduled Tribes. Therefore, the Scheduled Castes and Scheduled Trices are deprived of the oppertunities for 8 long years because there was inadequate representation for them till 1978. In the year 1978, there was an order providing for reservation in promotions to Scheduled Castes and Scheduled tribes. Recently, somebody went on writ and the stay granted by the Hon'ble High Court was not for non-operation of the entire order, but restricted it only to the person who had approched the Court. The said order was directed only to the particular department. and not for the entire administration. I want to ask the Hon. Minister for Law and Parliamentary Affairs, whether this decision of the Hon'ble High Court was placed before the Cabinet and whether the Cabinet has taken a decision to withdraw the entire

order? Sri B. Basavalingappa yesterday cited so many Supreme Court decisions. In fact, such orders have been made by several States and even by the Central Government. Such being the case, how can the High Court of Karnataka issue such a stay order ? When the Hon'ble High Court gave a judgment, the message was sent by wireless. But when stay was vacated, you wrote letters! Now, I am asking the Hon. Minister that in the course of those few days, how many non-Scheduled Castes/Scheduled Tribes were promoted ? Sir, I would like to cite one instance here. There was a Scheduled Caste fellow serving in the Directorate of Technical Education. He was about to get his promotion. Because of the High Court stay order, he was denied. In the meanwhile, a proposal was sent to fill up that vacancy with a non-Scheduled Caste man. This is the position. I request he Hon.Minister to kindly to collet the information.

Now, Sir, I will give the particulars of Scheduled Castes and Scheduled Tribes applicants waiting for employment assistance on the live register of Employment Exchanges in the State.

Sl. No.	CATEGORY	Scheduled Castes.	Scheduled Tribes.
I.	Post Graduates:		
	1) Arts	146	31
	2) Science	42	12
	3) Commerce	12	1
	4) Engineering	1	—
II.	Graduates:		
	1) Arts	1,642	273
	2) Science	325	146
	3) Commerce	132	45
	4) Engineering	34	4
	5) Medicine	65	14
	6) Agriculture	30	1
	7) Education	37	18
	8) Other Subjects	15	1

This is the position. sir. We must make all out efforts to ollect some information about them throughout the State.

Sir, there is an Agricultural University in our State which was under the control of Sri K. H. Ranganath, the then Hon.Minister for Agriculture. There are 17 Officers and 77 Professors but not a single person belonging to Scheduled Castes/Scheduled Tribes. There are only two Associate Professors who belong to Scheduled Castes and the percentage works out to 1.01%. Then, for 511 Assistant Professors only 3 belong to Scheduled Caste and the percentage works out to 0.6%. In the case of Insrtuctors who number nearly 622, only 4 Scheduled Castes are there and the pecentage works out to 0.6%. In regard to Service Personnel numbering nearly 2,286, the number of Scheduled Castes is only 117 and Scheduled Tribes is 20, which works out to 5.9%.

Sir, if you consider the reservations of posts in Bangalore University, the figures are as follows:—

Cadre	Total No. of Posts	No. of SC/s STs working	Percentage of SC/sSTs
Professors	57	3 (SC)	5% (SC)
Lecturers	251	5 (SC) 1 (ST)	2% (SC) 0.35% (ST)
Superintendents	28	1 (SC)	3% (SC)
Assistants	87	6 (SC) 2 (ST)	7% (SC) 2% (ST)
Junior Assistants	102	4 (SC) 2 (ST)	4% (SC) 2% (ST)
Typists	33	1 (ST)	3% (ST)
Clerk cum Typists	26	2 (ST)	8% (ST)
Attenders	115	6 (SC) 1 (ST)	5.25% (SC) 0.9% (ST)
Peons/Watchmen/ Gardners/Cleaners/ Conductors/Sweepers/ Scavangers	300	25 (SC) 2 (ST)	8% (SC) 0.6% (ST)

This is the break-up which speaks of the fate of the Bangalore University.

Now Sir, we shall go to the famous and the oldest University *i. e.*, University of Mysore. They have still not framed the Cadre and Recruitment Rules. I shall give the break-up in respect of the posts given to SCs/ STs catogory wise.

MYSORE UNIVERSITY:

Category of Posts	Total No. of Posts	Working	SC.	ST.	Percentage SC.	Percentage ST.
Professors	69	68	1	Nil	1.45	—
Readers	90	86	4	Nil	4.45	—
Lecturers	288	284	4	Nil	1.4	—
Tutors	37	36	1	Nil	2.7	—
Technical	446	427	13	6	2.47	1.34
Ministerial	425	393	24	8	5.65	1.88
Menial	457	411	41	5	8.99	1.1

Sir, I now take you to the famous Karnataka University.

KARNATAKA UNIVERSITY:

Professors	72	48	...	...	Nil	Nil
Readers	160	119	...	...	Nil	Nil
Lecturers	371	276	5	3	2	1
Non-Ministerial and Technical	442	428	3	...	1.96	Nil
Ministerial	957	957	37	2	11.9	4

Sir, this is the fate of the representation of SC/s STs in the various Universities. Government must write to the Chancellor and he must give directives to these Universities that henceforth all appointments must be made from among the SCs/STs. Kindly see that 18% of the people from SCs/STs are given due representation in all the categories of posts. For the last 30 years only 3 to 4% SC/s STs are given representation in Class-I posts. In order to reach 15%, I feel it may take 60 years Therefore, to achieve the target, they have introduced the element of reservation in promotions and that must be scrupulously followed The politicians know that the difficulties of the people but the officers do not know as they have been brought up in certain atmosphere. They do not care also. Even in the new department like Weights and Measures, they are not following the Reservation Rules. I can quote that various Boards and Corporations like Road Transport Corporation, Houseing Board, Karnataka Urban Water Supply and Sewarage Board etc., they are also not following the Reservation Rules.

5.30 P.M.

In fact it is surprising to me. You will have to take some action immediately. Some of these Departments have not framed the Cadre & Recruitment Rules. When we suggested to the Government that in the Secretariat, there should be 15% and 3% Reservation for the SCs/STs respectively in the initial recruitment and also in promotion, they say, it is not possible. Why is it not possible? Why should it not be included? I want to know this because the implementing officers are opposed to it. I was told that there was a lot of opposition while making the reservation in promotions. But in spite of that, the Government took a decision. But it was limited up to Class I Junior only and not Class I Senior as has been done in Uttar Pradesh, Punjab and some other States. In Punjab, it was done in the year 1953. Now, the population has increased and along with that the literacy among the Scheduled Castes and Scheduled Tribes has also increased. The literacy varies from district to district. It is more in Bangalore, Belgaum, Mysore and Mandya. The literacy among the scheduled castes has increased and there are more number of graduates available from the SCs and STs. In view of this, the percentage for reservation which is 15% and 3%, should be increased because they have not reached the required representation. This reservation must continue and it should be followed strictly. In Assam and West Bengal, they have made a Law that if any Officer fails to implement the reservation provisions for SCs and STs, he is liable for punishment. Here also there may be a punishment. But it is not more. It may be one month imprisonment or Rs. 50 fine. The punishment must be made more severe.

I know that all the Ministers including our Hon. Chief Minister have a desire to help the poor people, to give them proper representation in the Government services and even in private institutions, schools, colleges etc The Private institutions do not follow the Rules of reservation though they get grants from the Government. Why is it that the SCs and STs ask for reservations? I am putting this question, why they go and do some business? Why not they have some Bars and Liquor shops or textile emporia and earn money? They cannot do these things because they do not have money. They are unable to invest capital for carrying on business. Even in villages if a Harijan opens a Tea shop, no body will go to his shop and take Tea. In view of these difficulties only, the SCs and STs ask for reservations. The Government jobs ensure them at least regular salary. That is why the makers of our Constitution thought it fit to have a provision for reservation in services and declared that everybody is equal.

Some people talk about efficiency. If a person is given an opportunity, he becomes efficient. Otherwise how can he become efficient ? Are we not seeing for the last six months that Sri Gundu Rao is efficient ? He got a chance and has become efficient. Efficiency is not the monopoly of a certain section of the society. Some talk of merit. Do you mean that merit means a man must be a son of an Officer ? Does a person who is a son of a villager or a poor labourer is not having any merit ? Simply because a person is a labourer's son, is he unfit to get a job ? Therefore, the constitution makers thought that the Scheduled Castes should have some say in the administration ; they must have their representation in the administration. I will take another occasion to speak in detail. I am not dealing with this G.O. of 1974 or the G.O. of 1980, now. To-day, what we are seeking is, the reservation in promotions must continue. In Kerala, the Government has done a very good thing. They have made provision for direct recruitment even to the posts of Executive Engineers, DYSPs's, Assistant Commissioners etc. The Commissioner of Kerala Government told that within 10 years time, All the Heads of the Departments would be from among the SCs/STs. Our Government may kindly write to Kerala Government or our Chief Minister can discuss this matter with the Kerala Chief Minister and find out the possibilities of following it here.

SRI K. C. REDDY, Sri Kengal Hanumanthaiah, Sir Nijalingappa, Sri Kadidal Manjappa, Sri B.D. Jatti, Sri S.R. Kanthi, Sri Veerendra Patil, Sri Devaraj Urs and at present Sri R. Gundu Rao, all the Chief Ministers have taken decisions in the Cabinet to do something in favour of poor but they have not come up to the expectation. The Land Reforms Act in Karnataka, has not helped any Scheduled Castes and Scheduled Tribe people because every land lord wants his own caste-man to be the tenant. The only way for the SCs/STs is to get a job in the Government. But they have not been given proper representation for all these years because of these bureacrats. The bureaucrats are opposed to it. They do not want a poor man or a begger to come and take coffee along with them. They talk about the social status. What is this social status ? All officers are of one social status ? I do not know what is this social status. We do not mix ourselves with the Poura Karmiks because they are doing dirty job. For all these years, the doors were closed for the Scheduled Castes. It is only after independence and after compulsion, and making laws, that the doors are open. Dr. Babasaheb Ambedkar, even when he became MA, Phd. and B.L., he was not served water in the Bar Council. That was the position. Of course, that is improving now It must further improve. The improvement must be faster than our.

thinking. I want to know from the Government when the stay order was issued why it was sent by wireless message throughout the State. Secondly, I want to know whether a competent senior advocate, or the Advocate General appeared before the Judge on the Government's side and when the wr t petition was filed. And thirdly, I want to know whether the vacation of stay order was sent by wireless message or it was sent by post.

How many days it have taken to reach Bidar and Gulbarga and (4) during this period how many persons were promoted from other castes and how many Scheduled Castes were denied promotion. On these points I want clarifications. As the hon. member Sri B. Basavalingappa put it, the administration must take it up.

One more suggestion I want to make is that in certain states Review Committees have been formed under the chairmanship of Chief Ministers to look into the welfare measures undertaken for these people and to see whether they are properly implemented or not. Therefore, you will have to constitute such a committee under the chairmanship of the Chief Minister here also to review what amount was sanctioned, how much money was spent and so on. In one case in Chikamagalur Dis rict Rs. 26,000 was sanctioned for starting a small farm for the tribal pe ple, But the Horticultural Department did not ask for land from the Deputy Commissioner, or from the Assistant Commissioner or from the Tahsildar and the money was allowed to lapse. So, please look into these matters minutely. I want a Committee unde the chairmanship of the Chief Minister to review the progress made by the Scheduled Caste people once in 3 months or 6 months.

With these few words I thank the Chair for having given me a chance to speak on the motion moved by Sri B. Basavalingappa.

† ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್ (ನೆಲಮಂಗಲ).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಇದುವರೆಗೂ ನಾವು ಅನೇಕ ಸರ್ಕಾರಗಳ ಮುಂದಿದ್ದಂತಹ ಒಂದು ಜಟಿಲ ಸಮಸ್ಯೆಯನ್ನು ಕುರಿತು ಮಾತನಾಡುತ್ತಿದ್ದೇವೆ. ಮಾನ್ಯ ಬಸವಲಿಂಗಪ್ಪನವರು ಬಹಳ ಪ್ರಯತ್ನ ಮಾಡಿ ಕೋರ್ಟುಗಳಿಂದ ಆದಂತಹ ತೀರ್ಮಾನಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದಲ್ಲಿ ಇರತಕ್ಕಂತಹ ಅವಕಾಶಗಳನ್ನು ಕುರಿತು ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ಜಾರಿಯಾಗಿದೆ ? ಅದನ್ನು ಜಾರಿಗೆ ತರುವುದರಲ್ಲಿ ಏನೇನು ಲ್ಯಾಪ್ಸ್‌ಸ್ ಆಗಿವೆ ಎಂಬುದರ ಬಗ್ಗೆ ಬಹಳ ವಿಷದವಾಗಿ ತಿಳಿಸಿದ್ದಾರೆ. ೧೯೭೯ರಲ್ಲಿ ಏನೊಂದು ಈ ಬಗ್ಗೆ ತೀರ್ಮಾನ ಆಗಿದೆ ಅದಕ್ಕೆ ಇಂದು ಮುಖ್ಯ ಮಂತ್ರಿಗಳಾಗಿರುವ ಶ್ರೀಮಾನ್ ಗುಂಡೂರಾವ್‌ರವರೂ ಕೂಡ ಭಾಗಿಗಳಾಗಿದ್ದಾರೆ. ಅವರೂ ಅದರಲ್ಲಿ ಭಾಗವಹಿಸಿದ್ದಾರು. ಆದರೂ ಕೂಡ ಅದಕ್ಕೆ ಅವರು ಬೇಡ ಎಂಬುದಾಗಿ ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಸಂಶಯ ಅನೇಕರ ಮನಸ್ಸಿನಲ್ಲಿದೆ. ಈ ಸರ್ಕಾರ ಹರಿಜನರ ಹಕ್ಕುಭಾದ್ಯತೆಗಳನ್ನು ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ರಕ್ಷಣೆ ಮಾಡಿದ್ದಾರೆ ? ಎನ್ನತಕ್ಕಂತಹ ಧಾಟಿಯಲ್ಲಿ ಅನೇಕರು ಮಾತನಾಡಿದ್ದಾರೆ. ಆದರೆ ಕೋರ್ಟಿನಿಂದ ಆದಂತಹ ತೀರ್ಮಾನಕ್ಕೆ ಸರ್ಕಾರ ಎನ್ನುವುದು ತಲೆಬಾಗಬೇಕಾಗಿದೆ; ಎನ್ನುವುದನ್ನು ಹೇಳುತ್ತಾ ಇಂತಹ ಅನೇಕ ಸರ್ಕಾರಿ ಆರ್ಡರ್‌ಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಕೋರ್ಟಿನ ಕೈವಾಡ ಏನು ಎನ್ನುವುದನ್ನು ಬಹಳ ವಿಷದವಾಗಿ

ಹೇಳಿದ್ದಾರೆ. ಅನೇಕ ಸಲ ಈ ಬ್ಯೂರೋಕ್ರಾಟ್ಸ್ ಎಂಬುವರು ಈ ಸಮಾಜದಲ್ಲಿ ಹುಟ್ಟಿಕೊಂಡು ಅವರು ಸಾಮಾನ್ಯ ಜನತೆಯ ಯೋಗಕ್ಷೇಮವನ್ನು ನೋಡಿಕೊಳ್ಳುವುದರಲ್ಲಿ ಎಷ್ಟೋ ರೂಪದಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದಾರೆ ಎಂಬುದನ್ನು ಒತ್ತಿ ಒತ್ತಿ ಹೇಳಿದ್ದಾರೆ, ಸಂಕಟದಿಂದ ಹೇಳಿದ್ದಾರೆ. ಆದರೆ ಐ.ಎ.ಎಸ್. ಅಧಿಕಾರಿಗಳು ಸಾಮಾನ್ಯ ಜನತೆಯ ಯೋಗಕ್ಷೇಮವನ್ನು ನೋಡಿಕೊಳ್ಳುವುದರಲ್ಲಿ ಸೌಮ್ಯ ರೀತಿಯಲ್ಲಿ ಸೇವೆಯನ್ನು ಸಲ್ಲಿಸುತ್ತಿಲ್ಲ ಆ ಒಂದು ಅಧಿಕಾರ ವರ್ಗವನ್ನು ರದ್ದು ಮಾಡಿಬಿಟ್ಟರೆ ಲೇಸು ಎನ್ನುವುದನ್ನು ಅನೇಕ ಸಲ ಹೇಳಿದ್ದಾರೆ. ಪ್ರಸ್ತಾಪ ಮಾಡಿದ್ದಾರೆ. ರದ್ದು ಮಾಡಬೇಕೆಂದರೆ ಅದು ಇಲ್ಲಿ ಆಗತಕ್ಕಂತಹದ್ದು ಅಲ್ಲ. ಕೇಂದ್ರ ಸರ್ಕಾರ ಈ ವಿಚಾರದ ಬಗ್ಗೆ ಪರಿಶೀಲಿಸಬೇಕು, ಬ್ಯುರೋಕ್ರಾಟ್ಸ್‌ಗಳಿಂದ ಸಾಕಷ್ಟು ಅನುಕೂಲ ಜನರಿಗೆ ಆಗುತ್ತಿಲ್ಲ, ಸಂಸತ್ ಸದಸ್ಯರು ಈ ವಿಚಾರದಲ್ಲಿ ಸಂಸತ್ತಿನಲ್ಲಿ ಇಟ್ಟು ಚರ್ಚೆ ಮಾಡಿ ನಂತರ ತೀರ್ಮಾನ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಆದರೆ ಸಾಮಾನ್ಯ ಜನಗಳ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಈ ಅಧಿಕಾರ ವರ್ಗದವರು ಸರಿಯಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಿಲ್ಲ ಎಂಬ ಅಭಿಪ್ರಾಯ ಎಲ್ಲ ಕಡೆಯೂ ಇದೆ. ಇಂತಹ ಬ್ಯುರೋಕ್ರಾಟ್ಸ್‌ಗೆ ಇಡೀ ಸರ್ಕಾರವನ್ನು ಕೊಟ್ಟು ಬಿಟ್ಟಿದ್ದೇವೆ ಅವರ ಒಂದು ಮನೋಧರ್ಮದ ಮೇಲೆ ಸ್ಪಿರಿಟ್ ಆಫ್ ಅಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್, ಸ್ಪಿರಿಟ್ ಆಫ್ ಗೌರ್ನ್‌ಮೆಂಟ್ ನಿಲ್ಲುತ್ತದೆ, ಎಷ್ಟೋ ಕಾನೂನನ್ನು ಮಾಡಿದರೂ ಕೂಡ ನಾವು ಮುಟ್ಟತಕ್ಕಂತಹ ಮಟ್ಟಕ್ಕೆ ಮುಟ್ಟಿಲ್ಲ. ಸರ್ಕಾರದ ಅಧಿಕಾರ ವರ್ಗದವರು ಏನು ಇದ್ದಾರೋ ಅವರಿಗೆ ನಾವು ಆಗಿಂದಾಗ್ಗೆ ಮುಂಬಡ್ತಿಗಳನ್ನು ಕೊಡುವುದು. ಮತ್ತೆ ಧಾರಣೆವಾಸ ಹೆಚ್ಚಾಗಿದೆ ಬದುಕುವುದಕ್ಕಾಗುವುದಿಲ್ಲ ಎಂಬುದಾಗಿ ಹೇಳಿದಾಗಲೆಲ್ಲಾ ಸಂಬಳ ಹೆಚ್ಚಿಸುವುದು, ಇತರೇ ಎಲ್ಲಾ ಸೌಲಭ್ಯಗಳನ್ನು ಒದಗಿಸುವುದು, ಈ ರೀತಿ ಸರ್ಕಾರ ಎಲ್ಲವನ್ನೂ ಮಾಡಿದರೂ ಕೂಡ ಸಾಮಾನ್ಯ ಪ್ರಜೆಗಳಿಗೆ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ ದೃಷ್ಟಿಯಲ್ಲಿ ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ಪ್ರಗತಿಯಾಗಿದೆ ಎನ್ನುವುದನ್ನು ನೆನಪು ಮಾಡಿಕೊಂಡಾಗ ನಿಟ್ಟುಸಿರು ಬಿಡತಕ್ಕಂತಹ ಪರಿಸ್ಥಿತಿ ಇದೆ. ಬಡ ರೈತನಿಗೆ ಇದರಿಂದ ಸಾಕಷ್ಟು ಸೇವೆ ಸಲ್ಲುತ್ತಿದೆಯೋ ಅಥವಾ ಇಲ್ಲವೇ, ಸಲ್ಲದಿದ್ದರೆ ಗತಿ ಏನು ಎನ್ನತಕ್ಕಂತಹ ಭಾವನೆ ದೇಶದಲ್ಲಿ ಸಾಕಷ್ಟು ಕಡೆಗಳಲ್ಲಿ ಬಂದಿದೆ. ಇದನ್ನು ಎಲ್ಲರೂ ಕೂಡ ಒಪ್ಪತಕ್ಕಂತಹ ಮಾತು. ಅಂದ ಮೇಲೆ ಒಳ್ಳೆಯ ಅಧಿಕಾರಿಗಳು ಇಲ್ಲವೇ ಇಲ್ಲ ಎಂಬ ಅರ್ಥ ಅಲ್ಲ. ಒಳ್ಳೆಯ ಅಧಿಕಾರಿಗಳೂ ಇದ್ದಾರೆ, ಅವರ ಮನಸ್ಸನ್ನು ಒಳ್ಳೆಯ ಕಡೆಗೆ, ಒಳ್ಳೆಯದನ್ನು ಮಾಡಿಕೊಡುವ ಮಟ್ಟಕ್ಕೆ ಇದ್ದಾರೆ. ಕಾನೂನನ್ನು ಜಾರಿಗೆ ಕೊಡುವಾಗ ಬಹಳ ಎಚ್ಚರಿಕೆಯಿಂದ ಮಾಡಬೇಕು. ಇದರಲ್ಲಿ ಬುದ್ಧಿವಂತರೆನ್ನುವವರು ಯಾರಿದ್ದಾರೆ ಅವರು ಇಂಟರ್‌ಪ್ರಿಟೇಷನ್ ಹೇಗೆ ಮಾಡುತ್ತಾರೆಂದರೆ ಕಾನೂನಿನ ಗುರಿ ಏನಿದೆ ಅದನ್ನು ಬಹುತೇಕವಾಗಿ ಕೋರ್ಟ್‌ನವರು ಮಾಡುತ್ತಾರೆ. ಒಂದು ಕೋರ್ಟಿನಲ್ಲಿದ್ದಂತಹ ಕೇಸು ಮತ್ತೊಂದು ಕೋರ್ಟಿಗೆ ಹೋದರೆ ಅದರ ರೂಪ ರೇಷೆಗಳೇ ಬದಲಾವಣೆಯಾಗುತ್ತದೆ ವೈಯಕ್ತಿಕವಾಗಿ ಯಾರು ಕಾರಣ ಎಂದರೆ ಅಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್ ರೂಲ್ಸ್, ಗೌರ್ನ್‌ಮೆಂಟ್ ಆರ್ಡರ್ ಕೋರ್ಟಿಗೆ ಹೋದರೆ ಸುವ್ಯವಸ್ಥಿತವಾದ ಸರ್ಕಾರವನ್ನು ನಡೆಸುತ್ತಿರುವಾಗ ಯಾರ್ಯಾರ ಹಕ್ಕುಬಾಧ್ಯತೆಗಳನ್ನು ಹೇಗೆ ರಕ್ಷಿಸಲ್ಪಡಬೇಕು ಎಂಬ ವಿಷಯಗಳು ಬಹುತೇಕ ಅಧಿಕಾರಿಗಳ ಕೈಯ್ಯಲ್ಲೇ ಇದೆ. ಉದಾಹರಣೆಗೆ ಹೇಳುವುದಾದರೆ, ಅಪಾಯಿಂಟಿಂಗ್ ಆಫೀಸರ್ಸ್ ಯಾರಿದ್ದಾರೆ ಅವರಿಗೆ ಈ ರೂಲ್ಸ್ ಪ್ರಕಾರ ಸರ್ಕಾರಿ ಆದೇಶಗಳನ್ನು ಯಾವ ರೀತಿ ಜಾರಿಗೆ ಕೊಡಬೇಕೆಂಬುದು ಅವರಿಗೆ ತಿಳಿದಿರುತ್ತದೆ. ಮತ್ತೆ ಕ್ಲಾಸ್(೧), ಕ್ಲಾಸ್(೨), ಕ್ಲಾಸ್(೩) ಮತ್ತು ಕ್ಲಾಸ್(೪)ನಲ್ಲೂ ಇಂತಿಂಥ ಜನಗಳಿಗೆ ಕೊಡಬೇಕೆಂಬ ನಿಯಮ ಇದೆ. ರೂಲ್ಸ್ ಇದೆ. ಆದರೆ ಅಪಾಯಿಂಟಿಂಗ್ ಆಫೀಸರ್ಸ್ ಯಾರು ಇದ್ದಾರೋ ಅವರು ಇದನ್ನು ಬಹಳ ಎಚ್ಚರಿಕೆಯಿಂದ, ನ್ಯಾಯವಾದ ದೃಷ್ಟಿಯಿಂದ ಪರಿಪಾಲನೆ ಮಾಡದೇ ಹೋದರೆ ಅಂತಹವರಿಗೂ ಜುಲ್ಮಾನ ಹಾಕಬೇಕೆಂದು ಇದೆ. ಆದರೆ ಈ ತಪ್ಪನ್ನು ಮಾಡಿದ್ದರಿಂದ ಇಂತಹವರಿಗೆ ಈ ಸಂದರ್ಭದಲ್ಲಿ ಜುಲ್ಮಾನೆಯಾಗಿದೆ ಎನ್ನುವ ನಿದರ್ಶನವನ್ನು ನಾವೂ ಎಂದೂ ನೋಡಿಲ್ಲ. ಒಂದು ವೇಳೆ ನಾನು ನೋಡದಿದ್ದರೂ ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಆಗಿದೆ ಎಂದು ಯಾರಾದರೂ ಹೇಳಿದರೆ ಅದನ್ನು ನಾನು ತಿಳಿದುಕೊಳ್ಳುವುದಕ್ಕೆ ತಯಾರಾಗಿದ್ದೇನೆ. ಈಗ ಏನಾಯಿತು ಎಂದರೆ ಎಲ್ಲಾ ಸಂದರ್ಭದಲ್ಲೂ ಕಂಡರೂ ಕಾಣದಹಾಗೆ ಎಲ್ಲ ಸರ್ಕಾರದವರೂ ಈ ಬಗ್ಗೆ ಕೈಕಟ್ಟಿಕೊಂಡು ಆಡಳಿತವನ್ನು ನಡೆಸಿಕೊಂಡು ಬರುತ್ತಿದ್ದಾರೆ ಎನ್ನುವುದನ್ನು ಮಾನ್ಯ ಬಸವಲಿಂಗಪ್ಪನವರು ಇದುವರೆಗೂ ಮಾಡಿರತಕ್ಕಂತಹ ಸಮರ್ಥನೆಯಿಂದ ಅರ್ಥವಾಗುತ್ತದೆ. ನಾನು ಹೇಳುವ ಈ ಮಾತು ಕರ್ನಾಟಕಕ್ಕೆ ಮಾತ್ರ ಅನ್ವಯಿಸತಕ್ಕದಲ್ಲ. ಇಡೀ ಭಾರತಕ್ಕೆ ಅನ್ವಯಿಸತಕ್ಕದ್ದು ಕೇಂದ್ರ ಸರ್ಕಾರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳಲ್ಲಿ ಈ ತತ್ವವನ್ನು ಸರಿಯಾಗಿ ಪರಿಪಾಲನೆ ಮಾಡಿಲ್ಲ ಎಂಬುದಾಗಿ ನಾನು ಹೇಳುತ್ತಿದ್ದೇನೆ. ನಿಜ ಈ ಮಾತನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವಾಗ ಇದಕ್ಕೆ ಯಾರು ಕಾರಣರು ಎಂಬುದಾಗಿ ಎಲ್ಲರೂ ತಮ್ಮ ತಮ್ಮಲ್ಲೇ ಪ್ರಶ್ನೆ ಹಾಕಿಕೊಂಡು

ಎಲ್ಲಾ ದೋಷವನ್ನು ತೆಗೆದುಕೊಂಡು ಹೋಗಿ ಶ್ರೀಮಾನ್ ಗುಂಡೂರಾವ್‌ರವರ ತಲೆಯ ಮೇಲೆ ಹಾಕ ತಕ್ಕಂತಹದ್ದು ಸರಿಯಲ್ಲ ಎಂಬುದನ್ನು ನಾನು ಒಪ್ಪುತ್ತೇನೆ. ಕಾರಣವೇನೆಂದರೆ ಮಾನ್ಯ ದೇವರಾಜ ಅರಸ್ ರವರ ಮಂತ್ರಿ ಮಂಡಲದಲ್ಲಿ, ನನಗಿಂತ ಮೊದಲು ಮಾತನಾಡಿದಂತಹ ಶ್ರೀಮಾನ್ ಬಸವಲಿಂಗಪ್ಪನವರೂ ಇದ್ದರೂ. ನಾವು ಇದ್ದೇವು. ಆದ್ದರಿಂದ ಯಾರ ಮೇಲೂ ಸವಾಲು ಹಾಕುವುದರಿಂದ ಸಮಸ್ಯೆ ಬಗೆಹರಿಯುವುದಿಲ್ಲ. ಈವತ್ತು ಶ್ರೀಮಾನ್ ರಾಮಕೃಷ್ಣರವರು ಮಂತ್ರಿಗಳಾಗಿದ್ದಾರೆ, ಮಂತ್ರಿಗಳಾದವರಿಗೆ ಅವರು ಯಾರೇ ಆಗಿರಲಿ, ಅವರಿಗೆ ಕೆಲವು ಚಡಿ ಏಟು ಗಳು ಯಾರಿಗೂ ತಪ್ಪಿದ್ದಲ್ಲ. ಮಂತ್ರಿಯಾದರೂ ಎಲ್ಲವನ್ನೂ ನೋಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅವರುಗಳು ಅನೇಕ ಸಲ ಇದನ್ನು ನೋಡುವುದಿಲ್ಲ. ಇದನ್ನು ನಡೆಸಬೇಕಾದ್ದು ಯಾರ ಕರ್ತವ್ಯ ? ಅಧಿಕಾರ ವರ್ಗದಲ್ಲಿಯೇ ಕರ್ತವ್ಯ ಲೋಪವಾಗಿದೆಯೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಮತ್ತೊಂದು ರೀತಿಯಲ್ಲಿ ಎಲ್ಲಾ ವರ್ಗಗಳವರೂ ಕೂಡ ಈ ನೊಂದ ಜನರಿಗೆ ತೊಂದರೆ ಕೊಡು ತ್ತಿದ್ದಾರೆ. ಪ್ರಥಮ ದರ್ಜೆ ಅಧಿಕಾರಿಗಳ ಹುದ್ದೆಯಲ್ಲಿ ಏಕೆ ಮೀಸಲಾತಿಯನ್ನು ಇಡಲಿಲ್ಲ ? ಪ್ರಥಮ ದರ್ಜೆ ಹುದ್ದೆಯಲ್ಲಿ ಹರಿಜನರಿಗೆ ಏಕೆ ಮೀಸಲಿಡಲಿಲ್ಲವೆಂದರೆ, ಒಂದು ವೇಳೆ ಅವರು ಅಲ್ಲಿಗೆ ಬಂದರೆ 'ಸ್ವಾಮಿ' ಎಂದು ಅನ್ನಬೇಕಾಗುತ್ತಲ್ಲಾ ಅಂತ ಕೊಡಲಿಲ್ಲ. ಸ್ವಾತಂತ್ರ್ಯ ಬಂದಲಾಗಾಯ್ತು ಅಂದಿನಿಂದಲೂ ಮೇಲ್ದರ್ಜೆಯ ಜನ ಇವರನ್ನು ಕೆಳಮಟ್ಟದಲ್ಲಿ ಇರಿಸಿಕೊಂಡೇ ಬಂದಿದ್ದಾರೆ. ಇವರನ್ನು ಮೇಲಕ್ಕೆ ತರಬಾರದೆಂಬ ಮನೋಭಾವ ಉಳ್ಳವರಾಗಿದ್ದಾರೆ. ಇದು ಕಂಡರೂ ಕೂಡ ಕಾಣದಂತೆ ಈ ಜನ ಇದ್ದಾರೆ. Things will take shape according to the past traditionalism by ignoring the right of the people ಎಂದು ಅರ್ಥವಾಗುತ್ತದೆ, ಜನ ಕಂಡರೂ ಕಾಣದಂತೆ ಇದ್ದರೆ ಅಲ್ಲಿಗೆ ಮುಗಿಯಿತು. ಉದಾಹರಣೆಗೆ ಹೇಳುತ್ತೇನೆ. ಒಂದು ನೂರು ಮನೆಗಳುಳ್ಳ ಒಂದು ಊರು ಇದೆ. ಅಲ್ಲಿ ಒಂದು ಖೂನಿಯಾಗಿದೆಯೆಂದು ಭಾವಿಸಿಕೊಳ್ಳೋಣ. ಅಲ್ಲಿ ಪೋಲೀಸಿ ನವರು ಹೋಗಿ ಯಾರ ಮೇಲೆ ಕೇಸ್ ಹಾಕಬೇಕು ? ಶಿಕ್ಷೆಯನ್ನು ಯಾರಿಗೆ ವಿಧಿಸಬೇಕು ? ಅಲ್ಲಿನ ಪೋಲೀಸಿನವರಿಗೆ ಕೇಳಿದರೆ ಅವರು ಹೇಳುತ್ತಾರೆ ಏನು ಮಾಡುವುದು ಇಲ್ಲಿ ಸಾಕ್ಷ್ಯ ಹೇಳಲು ಯಾರೂ ಮುಂದೆ ಬರುವುದಿಲ್ಲ ಎಂದು. ನ್ಯಾಯ ಪರಿಪಾಲನೆ ಮಾಡತಕ್ಕ ಈ ಜನ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ನ್ಯಾಯ ಪರಿಪಾಲನ ಮಾಡಬೇಕೆಂದು ಅರ್ಥ. ಜನಗಳು ಸಾಕ್ಷಿ ಹೇಳುವುದಕ್ಕೆ ಮುಂದೆ ಬರುವುದಿಲ್ಲ, ನಾವೇನು ಮಾಡುವುದು ಎಂದರೆ ಏನು ಅರ್ಥ ? ಹೀಗೆಂದರೆ It is murder by conspiracy of the entire village ಕಳೆದ ೨೦ ೩೦ ವರ್ಷಗಳಿಂದಲೂ ಹರಿಜನರ ಹಿಂದುಳಿದವರ ಪ್ರಗತಿ, ಹಿಂದುಳಿದವರ ಜನಾಂಗದವರ ಪ್ರಗತಿ ಆಗಿಲ್ಲವೆಂಬುದು ಸ್ವವೇದ್ಯವಾದ ವಿಚಾರವಾಗಿದೆ. ಐದನೇ ಪಂಚವಾರ್ಷಿಕ ಯೋಜನೆಯನ್ನು ಮಾಡಿದವರೇ ಹಿಂದುಳಿದವರ, ಹರಿಜನಗಿರಿಜನರ ಉದ್ಧಾರ ಆಗಿಲ್ಲ ವೆಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದಾರೆ. ಇದಕ್ಕೆ ಕಾರಣ ಏನು ಎಂದು ಕೇಳಿದರೆ ತಲೆಕೆರೆದುಕೊಂಡು ಸುಮ್ಮನಾಗು ತ್ತಾರೆ. ಆಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್ ನಡೆಸುವವರಾಗಲಿ, ಕಾನೂನನ್ನು ಉಪಯೋಗಿಸಿಕೊಂಡು ಅಧಿಕಾರ ನಡೆಸುವ ಜನರಾಗಲೀ ಅವರನ್ನು ಸರ್ಕಾರದ ಆದೇಶ ಏನಿದೆ ಮತ್ತು ಒಂದು ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನ್‌ನ ಉದ್ದೇಶ ಏನಿದೆ ಅದು ಎಷ್ಟರಮಟ್ಟಿಗೆ ನೆರವೇರಿದೆಯೆಂದು ಪ್ರಶ್ನೆಯನ್ನು ಹಾಕಿದಾಗ ಬಹುಶಃ 'ಇಲ್ಲಾ' ಎಂದು ಎಲ್ಲರೂ ಒಪ್ಪುತ್ತಾರೆ. ಸರ್ಕಾರವನ್ನು ನಡೆಸುವವರು ಅಂಥ ಸಾಧನೆಯಾಗಿಲ್ಲವೆಂದು ಹೇಳುವುದು ಸ್ವವೇದ್ಯವಾದ ವಿಚಾರ. ಇದಕ್ಕೆ ಮನಸ್ಸು ಇಲ್ಲವೆಂಬುದನ್ನ ನಾನು ಒಪ್ಪುತ್ತೇನೆ. ಮೇಲ್ಮಟ್ಟದ ಹುದ್ದೆಗಳು ಯಾರು ಯಾರಿಗೆ ಹೋಗಿವೆ ? ನಮ್ಮಲ್ಲಿ ಎಷ್ಟು ಜನ ಚೀಫ್ ಮಿನಿಸ್ಟರ್ ಆಗಿದ್ದಾರೆ ? ಅವರಲ್ಲಿ ಎಷ್ಟು ಜನ ಹರಿಜನಗಿರಿಜನರಿದ್ದಾರೆ ? ಎಷ್ಟು ಜನ ಹರಿಜನರು ಅಕೌಂಟೆಂಟ್ ಜನರಲ್ ಆಗಿದ್ದಾರೆ ? ಎಷ್ಟು ಜನ ಐ.ಜಿ.ಪಿ. ಗಳಾಗಿದ್ದಾರೆ ? ಎಲ್ಲರೂ ಕೂಡಿ ತನ್ನ ಕರ್ತವ್ಯ ಮಾಡಿ ಭೇಶ್ ಎನ್ನುವ ಹಾಗೆ ಸರ್ಕಾರಕ್ಕೆ ಹೆಸರು ಬರುವ ಹಾಗೆ ಮಾಡಿದ್ದಾರೆಯೆ ? ಕಲೆಕ್ಟೀವ್ ಆಗಿ ತೆಗೆದುಕೊಂಡರೆ ಅವರು ಹೌದು ಎಂದು ಹೇಳಿದರು. ಯಾವ ರೀತಿ ಪ್ರಗತಿ ಮಾಡಬೇಕೋ ಅದನ್ನು ಮಾಡಿಲ್ಲ. ನಾನು ನಿನ್ನೆ ಚರ್ಚೆಯಾಗಿ ದ್ದವನ್ನು ಕೇಳಿದ್ದೇನೆ. ಅದಕ್ಕೆ ಯಾರೇ ವೈಯಕ್ತಿಕವಾಗಿ ಒಬ್ಬರನ್ನು ಜವಾಬ್ದಾರಿ ಮಾಡಬೇಕೋ ಆ ದೃಷ್ಟಿಯಿಂದಲೂ ಕೂಡ ನಾವು ಹೋಗಬೇಕು. ಸರ್ಕಾರೀ ಆಜ್ಞೆಯೇನೋ ಇದೆ. ಪ್ರತಿಯೊಂದು ಸರ್ಕಾರೀ ಕಛೇರಿಗಳಲ್ಲೂ ಅಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್ ಸೆಕ್ಷನ್ ಇರುತ್ತದೆ. ಇಂತಹ ಸೆಕ್ಷನ್‌ಗಳಲ್ಲಿ ಇಂತಹವರೇ ಇರಬೇಕು; ಇಂತಹವರು ಇರಬಾರದು ಎಂದು ಇದೆ. ಇದನ್ನು ಬದಲಾಯಿಸುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ. ಇಂತಹವರು ಇದ್ದರೆ ಬೇರೆಯವರ ಹಿತರಕ್ಷಣೆ ಆಗುವುದು ಒಂದೇ ಅಲ್ಲ. ಇದು ಮಿರ್ಜಾ ಅವರ ಕಾಲ ದಲ್ಲಿಯೂ ಆಗಿತ್ತೋ ಇಲ್ಲವೋ ಏನೋ ಗೊತ್ತಿಲ್ಲ. ಅಲ್ಲಿ ಏನು ಹೇಳಿದೆಯೆಂದರೆ ಅಲ್ಲಿ ಇರುವವರೆಲ್ಲಾ

ಬುದ್ಧಿವಂತರು, ಅವರು ಉಳಿದವರೆಲ್ಲರಿಗೂ ಮಾರ್ಗದರ್ಶಕರು ಎಂದು ಇದೆ. ಇವರು ಎಸ್ಟಾಬ್ಲಿಷ್‌ಮೆಂಟ್‌ನಲ್ಲಿ ಇದ್ದರೆ ಉಳಿದವರೆಲ್ಲರಿಗೂ ಮುಂಚಿತವಾಗಿಯೇ ತಿಥಿ ಗ್ಯಾರಂಟಿ. ಈಗ ನಾವು ಸ್ಪಿರಿಟ್ ಆಫ್ ಆಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್‌ನ್ನು ತೆಗೆದುಕೊಂಡರೆ ಅಲ್ಲಿ ಇರುವವರೆಲ್ಲರೂ ಹೆಚ್ಚಿನ ಬುದ್ಧಿವಂತರೆಂದು ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಒಂದು ರೀತಿ ನಮ್ಮನ್ನೇ ನಾವು ಬೈದುಕೊಳ್ಳುವಂತೆ. ಈಗ ಒಬ್ಬ ಮೇಸ್ಟ್ರು ಇದ್ದಾನೆ. ಆತನು ಮೂರಾರ್ಲ ಇಪ್ಪತ್ತು ಎಂದು ಮಗ್ಗಿಯನ್ನು ಹೇಳಿಕೊಡುತ್ತಾನೆ, ಆಗ ನಾವು ಇಪ್ಪತ್ತಲ್ಲ ಹದಿನೆಂಟು ಎಂದು ಹೇಳಿದರೆ, ಆತ ನಿನಗೆ ಬುದ್ಧಿ ಇಲ್ಲ ಇದು ಲೇಟೆಸ್ಟ್ ಮಗ್ಗಿ ಎಂದರೆ ಏನು ಮಾಡುವುದು ? ನಿಮಗೆ ಕಾಮನ್‌ಸೆನ್ಸ್ ಇಲ್ಲವೆಂದರೆ ಏನು ಮಾಡುವುದು ? ನೊಂದ ಜನರ ಹಕ್ಕುಭಾಧ್ಯತೆ ಸಾಕಷ್ಟು ಚೆನ್ನಾಗಿ ಆಗಿಲ್ಲ ಎನ್ನುವುದನ್ನು ನಾನು ಒಪ್ಪುತ್ತೇನೆ. ಆದರೆ ಒಂದು ವಿಷಯಕ್ಕೆ ನಾನು ಉತ್ತರವನ್ನು ಹೇಳದೇ ಸಾಧ್ಯವಿಲ್ಲ. ಶ್ರೀಮಾನ್ ದೇವರಾಜಅರಸ್ ಅವರು ಏನು ಮಾಡಿದರು ಎಂದು ಹೇಳಿದರೆ, ಇಂತಹದ್ದು ಮಾಡಿದರು ಅಂತಹದ್ದು ಮಾಡಿದರು, ಒಳ್ಳೆಯದನ್ನು ಅವರು ಮಾಡಿದರೆಂದು ಹೇಳುತ್ತಾರೆ. ಕೆಲವರು ಸಹಿಸದೆ ಅವರೇನು ಮಾಡಿದರು ? ಅವರು ಎಲ್ಲವನ್ನೂ ಪೇಪರ್ ಮೇಲೆ ಮಾಡಿದರು ಎಂದು ಹೇಳುತ್ತಾರೆ. ಅವರೇನು ಪೇಪರ್‌ಮೇಲೆ ಮಾಡದೇ ಹಣೇ ಮೇಲೆ ಮಾಡುವುದಕ್ಕಾಗುತ್ತದೆಯೆ ? ಪಂಚೆ ಮೇಲೆ ಮಾಡುವುದಕ್ಕಾಗುತ್ತದೆಯೇ ? ಅವರು ಬಹಳವಾಗಿ ಪ್ರಯತ್ನ ಪಟ್ಟು ಈ ಮಾರ್ಗದಲ್ಲಿ ಇರುವಂತಂಹ ಏರು ಪೇರುಗಳನ್ನು ಸರಿಮಾಡುವುದಕ್ಕೆ ನಾನಾ ರೂಪದಲಿ ಪ್ರಯತ್ನವನ್ನು ಮಾಡಿದ್ದಾರೆ. ಬಹುಶಃ ಪ್ರಮೋಷನ್‌ನಲ್ಲಿ ರಿಸರ್‌ವೇಷನ್ ಅನ್ನುವುದನ್ನು ಇಡೀ ಭಾರತದಲ್ಲಿಯೇ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪ್ರಪ್ರಥಮವಾಗಿ ಮಾಡಿದ್ದ ಪ್ರಯೋಗವಾಗಿದೆ ? ಇದು ದೇಶದ ಯಾವುದೇ ರಾಜ್ಯದಲ್ಲಿ ಇರಲಿಲ್ಲ.

ಶ್ರೀ ವೈ. ರಾಮಕೃಷ್ಣ.—ಶ್ರೀಮಾನ್ ಬಸವಲಿಂಗಪ್ಪನವರೂ ಕೂಡ ಇದೇ ವಿಷಯವನ್ನು ಎತ್ತಿದ್ದರು. ತಾವು ಈಗ ಕನ್ನಡದಲ್ಲಿ ಹೇಳಿದ್ದನ್ನೇ ಅವರು ಇಗ್ಲೀಷಿನಲ್ಲಿ ಕಮಿಟ್ ಎಂದು ಹೇಳಿದರು. ನಾನು ಈಗ ಕೇಳುತ್ತೇನೆ, ಶ್ರೀಮಾನ್ ಬಸವಲಿಂಗಪ್ಪನವರನ್ನು ಬೂಸಾ ಎಂದು ಹೇಳಿ ಮಂತ್ರಿಮಂಡಲದಿಂದ ಕಿತ್ತುಹಾಕಿದ್ದು ಕಮಿಟ್ಟೇ ? ಶ್ರೀ ಕಿತ್ತೂರ್‌ರವರನ್ನು ಮಂತ್ರಿಮಂಡಲದಿಂದ ಕಿತ್ತು ಹಾಕಿದ್ದು, ಹಾಗೇ ಶ್ರೀ ಬಿ. ಶಿವಣ್ಣನವರನ್ನು ಮಂತ್ರಿಮಂಡಲದಿಂದ ಕಿತ್ತು ಹಾಕಿದ್ದು ಅದೇ ರೀತಿ ಮತ್ತೊಬ್ಬ ಮಂತ್ರಿ ಶ್ರೀ ರಂಗನಾಥ್ ಅವರನ್ನು ಅದಕ್ಷತನದಿಂದ ಕಿತ್ತು ಹಾಕಿದ್ದು ಕಮಿಟ್ಟೇ ?

ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್.—ಕಮಿಟ್ ಎನ್ನುವ ಅರ್ಥ ಏನಿದೆಯೋ ? To reduce the gulf of haves and have nots. It is an accepted principle- ಇವರು ಹೇಳುವುದು ಏನೆಂದರೆ, ಹರಿಜನ ಯಾವನೋ ಖೂನಿ ಮಾಡಿದ್ದಾನೆ, ಅಯ್ಯೋ ಪಾಪ ಅಂತ ಬಿಟ್ಟು ಬಿಟ್ಟರೆ, ಆ ಮುಖ್ಯ ಮಂತ್ರಿ ಹುಚ್ಚ. ನ್ಯಾಯವಾಗಿ ನಡೆದುಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ. ನ್ಯಾಯದ ದೃಷ್ಟಿಯಿಂದ ನಡೆದರೆ ನ್ಯಾಯ ಸಿಕ್ಕುತ್ತದೆ. ಅದು ಬಿಟ್ಟು ಮೂರಾರ್ಲ ಇಪ್ಪತ್ತು ಎಂದರೆ ಮುಗಿಯಿತು. ಇಪ್ಪತ್ತೇ ಸರಿ ಎಂದು ಹೇಳಿದರೆ ಆಗ ಅಧಃಪಾತಾಳಕ್ಕೆ ಹೋಗಬೇಕಾಗುತ್ತದೆ, ಉದಾಹರಣೆಗೆ ಹಂಚತಕ್ಕಂತಹ ಭೂಮಿ ಇದೆ. ಅಲ್ಲಿ ೧೦೦ ಎಕರೆ ಇದ್ದು ಅದರಲ್ಲಿ ೫೦ ಎಕರೆಯನ್ನು ಬೇರೆ ಜನರಿಗೆ ಹಂಚಿ ಮಿಕ್ಕ ೫೦ ಎಕರೆಯನ್ನು ಹರಿಜನಗಿರಿಜನರಿಗೆ, ಹಿಂದುಳಿದ ಕೋಮಿನವರಿಗೆ ಮೀಸಲು ಇಟ್ಟರು. ನೂರಕ್ಕೆ ೨೦ ಜನ ಇರತಕ್ಕಂತಹ ಹರಿಜನಗಿರಿಜನರಿಗೆ ೫೦ ಎಕರೆ ಭೂಮಿ ಎಂದಾಯಿತು, We have to appreciate the courage of the Chief Minister. ಒಂದು ವಿಷಯವನ್ನು ಬಹಳ ಸ್ವಾರಸ್ಯವಾಗಿ ಹೇಳಿದರು. ಶ್ರೀಮಾನ್ ಗುಂಡೂರಾವ್ ಅವರು ಯಾವ ಗರಡಿಯಲ್ಲಿ ಪಳಗಿದ್ದಾರೆ ಎಂಬುದು ಅವರಿಗೂ ಗೊತ್ತು ನನಗೂ ಗೊತ್ತು. ನಾವೆಲ್ಲಾ ಒಂದೇ ಗರಡಿಯಲ್ಲಿ ಪಳಗಿದವರು. ಮಾನ್ಯ ಬಸವಲಿಂಗಪ್ಪನವರ ಮಾತನ್ನು ನಾವು ಒಪ್ಪಬೇಕಾಗುತ್ತದೆ. ಜೂನಿಯರ್ ಕ್ಲಾಸ್ ಒನ್ ಪೋಸ್ಟ್‌ಗೆ ಇರುವ ರಿಸರ್‌ವೇಶನ್ ಸೀನಿಯರ್ ಕ್ಲಾಸ್ ಒನ್ ಪೋಸ್ಟ್‌ಗೆ ಏಕೆ ಇಲ್ಲ ? ಇವನ್ನೆಲ್ಲಾ ಮಾಡುವುದಕ್ಕೆ ಕಾರಣವೇನೆಂದರೆ ಪಾಪ ಇವರು ಕುಂಟುಕೊಂಡು ತೆವಳಿಕೊಂಡು ಇಷ್ಟು ದೂರ ಹೇಗೋ ಪ್ರಮೋಷನ್ ತೆಗೆದುಕೊಂಡು ಬಂದು ಬಿಟ್ಟಿದ್ದಾರೆ. ಇವರು ಗಳೆಲ್ಲಾ ಸೀನಿಯರ್ ಕ್ಲಾಸ್ ಒನ್ ಆಫೀಸರ್ ಹುದ್ದೆಗಳಿಗೆ ಪ್ರಮೋಷನ್ ತೆಗೆದುಕೊಂಡು ಬಿಟ್ಟರೆ ಚೀಫ್ ಸೆಕ್ರೆಟರಿಗಳಾಗಿಬಿಟ್ಟರೆ, ಇಡೀ ದೇಶದಲ್ಲಿ ಎಲ್ಲರೂ ಇವರನ್ನು 'ಸ್ವಾಮಿ' ಎಂದು ಹೇಳಬೇಕಾಗುತ್ತದೆಂದು ಇವರಿಗೆ ಹೊಟ್ಟೆಕಿಚ್ಚು ಮಾಡಿಕೊಂಡೇ ಬಂದಿದ್ದಾರೆ. ಶ್ರೀಮಾನ್ ರಾಮಕೃಷ್ಣ ಅವರಿಗೆ ಯಾವ ದಕ್ಷತೆ ಇಲ್ಲ. ನಾನೂ ಕಳೆದ ೩೦ ವರ್ಷಗಳಿಂದ ರಾಜಕೀಯದಲ್ಲಿ ಇದ್ದೇನೆ. ಇವರ ಒಂದು ಚಾಳಿ ಏನೆಂದರೆ ಇವರು ಯಾರಾದರೂ ಮಾತನಾಡುತ್ತಿದ್ದಾಗ ಮಧ್ಯ ಬಾಯಿಹಾಕಿ ಮಾತನಾಡುತ್ತಾರೆ.

೬-00 ಪಿ.ಎಂ.

ನಾವು ಹರಿಜನರು ನಾವು ಏನಾದರೂ ಒಂದು ವಿಷಯವನ್ನು ಹೇಳುವುದಕ್ಕೆ ಹೋದರೆ ಜನರು ಏನು ಹೇಳುತ್ತಾರೆಂದರೆ ಹರಿಕಥೆ ದಾಸರು ಹರಿಕಥೆ ಹೇಳಿಕೊಂಡು ಹೋಗುತ್ತಾರೆಂದು ಹೇಳುತ್ತಾರೆ. ಇದು ನಮ್ಮ ಸಮಾಜದಲ್ಲಿ ಒಂದುರೀತಿಯಾಗಿ ಅಂಟಿಕೊಂಡುಬಂದಿರುವ ರೋಗ. ಈ ರೋಗವನ್ನು ಹೋಗ ಲಾಡಿಸಲು ಯಾರಿಂದಲೂ ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಶ್ರೀಮಾನ್ ಗುಂಡೂರಾಯರು ನೀವೂ ಕೂಡ ಕ್ಯಾಬಿನೆಟ್‌ನಲ್ಲಿದ್ದಿಲಿರಿ, ಆಗ ನಿಮ್ಮ ಸರ್ಕಾರವೇ ಆಡಳಿತದಲ್ಲಿತ್ತು ಎಂದೆಲ್ಲ ಹೇಳಿದರು. ಹರಿಜನ ಶ್ರೀ ಅಂಬೇಡ್ಕರ್ ಶಾಸನವನ್ನು ಮಾಡಿದರು, ಅದಕ್ಕೆ ಬೆಲೆ ಕೊಡುತ್ತಾರೆಂದು ತಿಳಿದಿದ್ದೀರಾ. ನಾವು "ಅಹುದಾದರೆ ಅಹದೆನ್ನಿ ಇಲ್ಲವಾದರೆ ಇಲ್ಲವೆನ್ನಿ" ಎಂದು ಹೇಳತಕ್ಕಂಥ ಜನ ಮೂರ ಆರಲಿ ಇಪ್ಪತ್ತು ಎಂದು ಹೇಳತಕ್ಕಂಥ ಜನರಲ್ಲ. ಇದೊಂದು ಜಟಿಲವಾದ ಸಮಸ್ಯೆಯಾಗಿದೆ. ಸರ್ಕಾರದಲ್ಲಿತಕ್ಕಂಥವರು ಬಹಳ ಒಂದ್ದಿವಂತ ಜನರು. ಅವರು ಬೇಕೆಂದರೆ ಸರ್ಕಾರವನ್ನೇ ಬದಲಾವಣೆ ಮಾಡಿಬಿಡುತ್ತಾರೆ. ಹರಿಜನ ಗಿರಿಜನರಿಗೆ ರಿಸರ್ವೇಷನ್ ಇನ್ ಪ್ರಮೋಷನ್ ಕೊಡುವಾಗ ಹಿಂದಿನ ಕ್ಲಾಸ್‌ನಲ್ಲಿ ಮೂರು ವರ್ಷ ಸರ್ವೀಸ್ ಆಗಿರಬೇಕೆಂದು ಒಂದು ಕ್ಲಾಸನ್ನು ತಂದರು. ಮುಖ್ಯಮಂತ್ರಿಯಾಗಿರತಕ್ಕಂಥವರು ಎಲ್ಲವನ್ನು ಗಮನಿಸಬೇಕೆಂದು ಇರುತ್ತದೆ. ಆದರೆ ಒಂದು ವರ್ಷದಲ್ಲಿ ಮೂವತ್ತು ಕ್ಯಾಬಿನೇಟ್ ಮೀಟಿಂಗ್‌ಗಳು ನಡೆಯುತ್ತದೆ. ಈ ಮೂವತ್ತು ಕ್ಯಾಬಿನೆಟ್ ಮೀಟಿಂಗ್‌ಗಳು ಸುಸೂತ್ರವಾಗಿ ನಿರ್ವಿಘ್ನವಾಗಿ ನಡೆಯುತ್ತದೆ. ಎಂದು ತಿಳಿದುಕೊಳ್ಳುತ್ತೀರಾ. ಒಂದೊಂದು ಸಂದರ್ಭದಲ್ಲಿ ಆಯಾ ಸಂದರ್ಭಕ್ಕೆ ತಕ್ಕಂತೆ ತೀರ್ಮಾನಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳುವ ಸನ್ನಿವೇಶಗಳು ಒದಗಿಬರುತ್ತವೆ. ಆದ್ದರಿಂದ ಯಾವುದೇ ನಿರ್ಧಾರಂ ಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೂ ಸರ್ಕಾರಿ ಮಟ್ಟದಲ್ಲಿ ಕಾನ್‌ಸ್ಟಿಟ್ಯೂಷನ್, ಅಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್ ಇನ್ ಪ್ರಾಕ್ಟೀಸ್, ಮತ್ತು ರೂಲ್ಸ್ ಇವನ್ನೆಲ್ಲ ನೋಡಿಕೊಂಡು ಕಾನೂನನ್ನು ಜಾರಿಗೊಳಿಸಬೇಕು.

SRI M. C. NANAIAH.—Sir, I raise to a point of order. Can the proceedings of a Cabinet leading to certain decisions be the subject matter before this House? Would it not amount to violation of the oath of secrecy that any Minister has taken? Any decision that has been taken, and the circumstances leading to the dicision is secret and if any person reveals it by virtue of his position as Ex-Minister I am certain this is a violation of the oath of secrecy he has taken. I want a ruling from the Chair as to whether it is permissible for any ex-Minister to disclose in this House any decision that has been taken in the Cabinet and the circumstances leading to it.

ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್.—ನಾನು ಮಾತನಾಡುತ್ತಿರಬೇಕಾದರೆ ಯಾವ ರಹಸ್ಯವನ್ನು ಬಯಲು ಮಾಡಲಿಲ್ಲವಲ್ಲ.

MR. SPEAKER.—It is true that a Minister will take the oath that he will not disclose the secrecy about the decisions of the Cabinet. If any Minister has revealed it, I think it is really a violation.

SRI K. H. SRINIVAS.—Sir, my humble submission is that it may affect the provisions concerning the oath of secrecy, but it won't offend any particular rule so far as our rules of procedure are concerned. Therefore, there cannot be a point of order.

SRI HARNAHALLY RAMASWAMY.—Any decision of the Government or a resolution passed by a Cabinet is a part of a public document it is published. Every day, every minute we discuss about the decisions of the Government. Therefore, there is nothing wrong in disclosing the

decision. I agree with my friend Sri M. C. Nanaiah that the discussion may be a secret thing but he has got every right to disclose the decision.

SRI H. GANGADHARAN.—Sir, oath is taken not to reveal the dicision ofthe Cabinet so long as one continues to be a Minister. When he comes out of the ministry, it is not binding on him, and he can criticise the policy of the Government. Is he not competent to do that?

MR SPEAKER.—I will give a considered Ruling on this later.

ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೆ, ಇದರಲ್ಲಿರತಕ್ಕ ಸ್ಥೂಲವಾದ ವಿಚಾರಗಳನ್ನೆಲ್ಲಾ ನಾನು ಸ್ಪಷ್ಟವಾಗಿ ತಮಗೆ ತಿಳಿಸಿದ್ದೇನೆ. ಇನ್ನು ಮುಂದೆ ಯಾವುದೇ ಸರ್ಕಾರವಾಗಲಿ ಇಂಥ ಸಮಸ್ಯೆಗಳನ್ನು ಬಹಳ ಎಚ್ಚರಿಕೆಯಿಂದ, ನಿಗಾವಹಿಸಿ ಪರಿಶೀಲನೆ ಮಾಡಿ ಒಳ್ಳೆಯ ಹೆಸರನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂಬ ದೃಷ್ಟಿಯಿಂದ ಸುವ್ಯವಸ್ಥಿತವಾದ ರೀತಿಯಲ್ಲಿ ಕಾರ್ಯಗತಮಾಡಬೇಕು. ಈಗ ಮಾನ್ಯ ಸಚಿವರು ಮಾತನಾಡಿದ ಸರಣಿಯನ್ನು ನೋಡಿದರೆ ಕಳೆದ ೩೦ ವರ್ಷಗಳಿಂದಲೂ ಸಾಧ್ಯವಾಗದೇ ಇರತಕ್ಕ ಈ ಸಮಸ್ಯೆಯನ್ನು ಇನ್ನು ೨-೩ ವರ್ಷಗಳಲ್ಲಿ ಪರಿಹರಿಸಲು ಸಾಧ್ಯವೇ? ಎಂಬುದಾಗಿ ಶಂಕೆ ಎದ್ದು ಕಾಣುತ್ತದೆ. ಈ ಕೆಲಸ ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ಸಫಲವಾಗುತ್ತದೆಂದು ಹೇಳುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ.

ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೆ, ನಾವು ಇನ್ನೂ ಅನೇಕ ಒಳ್ಳೆಯ ಕೆಲಸಗಳನ್ನು ಮಾಡಬೇಕಾಗಿದೆ. ಮಾನ್ಯ ಸಚಿವರಾದ ಶ್ರೀಮಾನ್ ಬಂಗಾರಪ್ಪನವರು ಮಾತನಾಡುವಾಗ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಮನಸ್ಸು ಮಾಡಿದರೆ ಎಂಥ ಮಹತ್ತರವಾದ ಕೆಲಸವನ್ನು ಬೇಕಾದರೂ ಮಾಡಬಲ್ಲರು ಎಂಬ ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ. ಅವರಿಗೆ ಹೆಚ್ಚಿನ ಶಕ್ತಿ ಇದೆ ಎಂಬುದನ್ನು ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಅದು ಹೇಗೆಂದರೆ ಸಮಯ ಬಂದಾಗ ಎಂಥವರನ್ನು ಬೇಕಾದರೂ ಸಮಾಧಾನ ಮಾಡಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸಿ ಅದರಲ್ಲಿ ಉತ್ತೀರ್ಣರಾಗುತ್ತಾರೆ. ಅಂಥ ಶಕ್ತಿ ಅವರಿಗೆ ಇರುವುದರಿಂದ ಈ ಕೆಲಸ ಮಾಡಬೇಕೆಂದು ನಾನು ಹೇಳುತ್ತಿದ್ದೇನೆ. ಹರಿಜನರ ವಿಷಯದಲ್ಲಿ ಅನೇಕ ಜನ ಅನೇಕ ರೀತಿಯಲ್ಲಿ ಮಾತನಾಡುತ್ತಾರೆ. ಇದರ ರಹಸ್ಯ ಏನು ಎಂಬುದು ಯಾರೊಬ್ಬರಿಗೂ ಗೊತ್ತಿಲ್ಲ. ಸ್ಕೇಲ್ ಆಫ್ ಪ್ರೋಗ್ರೆಸ್ ಹಾಕಿ ನೋಡಿದರೆ ಮಾತ್ರ ಗೊತ್ತಾಗುತ್ತದೆ. ನಾವು ಇವರಿಗೆ ಇರುವುದಕ್ಕೆ ಮನೆ, ಉಳುವುದಕ್ಕೆ ಭೂಮಿ ಎಲ್ಲಾ ಕೊಡುತ್ತೇವೆ ಆದರೂ ನಾವು ಹೇಳಿದ ಮಾತನ್ನು ಇವರು ಕೇಳುವುದಿಲ್ಲ. We have to help the SCs/STs without putting any conditions. We have to treat them as human beings and we have to see that he also lives with happiness just as others. ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿರತಕ್ಕ ಪ್ರತಿಯೊಬ್ಬ ಪ್ರಜೆಯೂ ಒಂದೇ ಸಮನಾಗಿರಬೇಕೆಂದು ನಾವೆಲ್ಲರೂ ಮಾತನಾಡುವಾಗ ಹೇಳುತ್ತೇವೆ. ಯಾವುದೇ ವಸ್ತುವಾಗಲಿ, ಅಥವಾ ಯಾವುದೇ ಹಕ್ಕುಬಾಧ್ಯತೆಯಾಗಲಿ ಎಲ್ಲರಿಗೂ ಸಮನಾಗಿ ಹಂಚಿಕೆಯಾಗಬೇಕೆಂದು ನಾವು ವಾದಮಾಡಿದರೂ ಅದು ಕೃತಿಯಲ್ಲಿ ಮಾತ್ರ ಬರುವುದಿಲ್ಲ. ಅದನ್ನು ಆಚರಣೆಯಲ್ಲಿ ತಂದು ಹಿಂದುಳಿದಿರತಕ್ಕ ಹರಿಜನರನ್ನು ಮೇಲಕ್ಕೆ ಎತ್ತಬೇಕು. ಅವರಲ್ಲೂ ಸಮಾನತೆ ಎಂಬುದು ಬರಬೇಕೆಂಬುದನ್ನು ನಾವು ಒಪ್ಪಿಕೊಂಡಿದ್ದೇವೆ. ಇವತ್ತು ನಿಮ್ಮ ಕಾನೂನು ಬಂದಮೇಲೆ ಬಹಳ ಜನರಿಗೆ ಬರಬೇಕಾಗಿದ್ದ ಪ್ರೊಮೋಷನ್ ತಪ್ಪಿಹೋಗಿದೆ. ಕೊಟ್ಟಿದ್ದ ಪಟ್ಟಿಯನ್ನೇ ಅನೇಕ ಅಧಿಕಾರಿಗಳು ಹೊಡೆದುಹಾಕಿದ್ದಾರೆ. ಹೈಕೋರ್ಟಿನವರು ಕೊಟ್ಟ ತೀರ್ಮಾನ ಸರಿಯೋ ತಪ್ಪೋ? ಎಂಬುದನ್ನು ತಾವು ಯೋಚನೆ ಮಾಡಿದಿರಾ, ಇವತ್ತಿನದಿವಸ ಸಭೆಯ ಮುಂದೆ ಏನೊಂದು ವಿಚಾರ ಮಂಡಿಸಲಾಗಿದೆ ಇದರ ಬಗ್ಗೆ ಸರ್ಕಾರ ಸೂಕ್ತ ಕ್ರಮ ತೆಗೆದುಕೊಂಡು ಕಾರ್ಯಗತ ಮಾಡುವುದರಲ್ಲಿ ಹಿಂದೆಗೆಯಬಾರದೆಂದು ಹೇಳಬಯಸುತ್ತೇನೆ. ಇದಕ್ಕೆ ಸರ್ಕಾರ ಇನ್ನೂ ಪುಷ್ಟಿ ಕೊಡಬೇಕು. ಸರ್ ಮಿರ್ಜಾ ಕಾಲದಿಂದಲೂ ಹರಿಜನರಿಗೆ ದೊರಕಬೇಕಾಗಿದ್ದ ಪ್ರಾತಿನಿಧ್ಯ ಸರಿಯಾಗಿ ದೊರಕುತ್ತಿಲ್ಲ. ಪ್ರತಿಯೊಂದು ಕ್ಷೇತ್ರದಲ್ಲೂ ಹರಿಜನರಿಗೆ-ಗಿರಿಜನರಿಗೆ ಸೂಕ್ತ ಪ್ರಾತಿನಿಧ್ಯವನ್ನು ದೊರಕಿಸಿ ಆಗಿರತಕ್ಕ ಅನ್ಯಾಯವನ್ನು ಸರಿಪಡಿಸುವ ಕೆಚ್ಚೆದೆ ನಮ್ಮ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಯವರಿಗೆ ಬರಲೆಂದು ಹೇಳಿ, ಇಷ್ಟು ಮಾತುಗಳನ್ನಾಡಲು ಅವಕಾಶ ಕಲ್ಪಿಸಿಕೊಟ್ಟ ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರಿಗೆ ವಂದಿಸಿ ನನ್ನ ಮಾತುಗಳನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

SRI B. B. SAYANAK (Belgaum).—Mr Speaker Sir, the resolution is moved by the Hon. Member Sri B. Basavalingappa. In this connection, I would like to say that it is not only the concern of SCs/STs members but it is the concern of all the Members belonging to different communities. My hon. friend was talking about Baba Saheb Ambedkar. I am very proud to say that Dr. Ambedkar was born and brought up in Maharastra. He was educated and financed by Shivaji of Kolhapur and Gayakwad of Baroda; Otherwise there would have been no Baba Saheb Ambedkar. He went to foreign countries with the help of these two former Kings In Maharastra, during the regime of Chatrapathi Shivaji Mahraj, the Harijans got their prominence in the army. In Maharastra, Sri Vasantha Rao Naik, a Scheduled Tribe man, was the Chief Minister for nearly 12 years. He has done some very good work. Sir, in Maharastra, they have fulfilled the promises give to the SCs/STs. In Maharastra, adequate representation has been given to SCs/STs in all fields. I therefore request this Government also to strictly follow the reservation rules relating to SCs/STs and see that adequate representation is given to them in services and in other fields. If we give them adequate representation in all fields, then only it is possible to uplift their standard of living. With these words, I thank the Chair and conclude.

SRI K. H. SRINIVAS (Shimoga).—My Speaker, Sir, already my learned friends Sri B. Basavalingappa and also Sri C. M. Arumugham have delivered their erudite speeches and have given a clear exposition of the subject-matter that is before us. Not that I have got any additional points to urge but for two special reasons, I stand to support what has already been said on the floor of this House. One is, many a time, we see an unfortunate situation that any matter concerning SCs and STs is left to be championed only by a few individuals belonging to that class as though it is not the concern of others. I think that some effort must be done atleast on the floor of this House to obiliterate this impression, and exhibit a genuine concern for the welfare of SCs/STs. Another reason why I stand to support is from a very early boyhood I have been very consciousness about the welfare of the SCs/STs. I wholly subscribe to the idea that inspite of the Constitutional provisions, inspite of the genuine intentions on the part of the Chief Minister and Ministers, what could have been achieved by now, we have failed to achieve so far as safeguarding the interest of the SCs/STs people is concerned. No doubt, there are Constitutional provisions. No doubt, there are several orders, but so far as the welfare of the Scheduled Castes and

Tribes is concerned this is a subject which should cut across party lines. Here, this proposition is brought not for pointing out relative merits of various Chief Ministers and Ministers. It is not whether this Minister is potent or that Minister is potent. That is not the subject. Every Minister has got his own merits and his own limitations. But, now the question is within the limitations have we genuinely tried to do our best in the matter? Have we tried to translate the intentions that are reflected and adumbrated in the Constitution of India for safeguarding the interest of the SCs/STs? It is not the question of just conveniently quoting something. Suppose, something becomes difficult, we quote some provision to say that because of this provision we have not been able to do this and all that. But, I think the efforts on the part of my friend Sri Basavalingappa was to tell the new Government that if at all there are any impression that there are impediments etc., if they are told by some vested interests, I mean vested interests are very well entrenched in the beauracracy of which we have got to depend for the running of the administration of the State. Merely, there are vested interests, we cannot do away with the administaative machinery. But, at the level of the Ministers it is very necessary to be guarded against certain suggestions which will be innocently put forward to convince a Minister or the Government, that it is helpless in the face of a particular situation. Sir, I am not here now to just to give those details of what has been done during the regime of Sri Devaraj Urs. Sri Devaraj Urs is not the subject matter of discussion for us today, but everyone will agree, he made very honest efforts towards translating the provisions of the Constitution into reality. Here, the question is, there was a Government Order initiated by the previous Government, providing for certain reservations, atleast at the bottom level for the posts which have to be filled up by promotion. Now, the question is even when this order was trying to be implemented, we have experienced certain bottle-necks—certain genuine and certain non-genuine And know taking advantage of a stay order, the whole order is kept in abeyance. I do not want to accuse this Government for anything. May be that the Government has newly taken over it had no time and they had not have applied their minds to this problem. But, instead of trying to get the stay vacated, you have used that stay for staying the entire order. The case raised certain suspicion and that has to be allayed by this Government. Now, the question is that there is still scope for improving this reservation order. Afterall, this is not a final thing; the objective being to see that the SCs/STs get 18% at all levels and there are good number of judgements of no less an

authority than the Supreme Court of India to help in this behalf. Why my friend Sri Basavalingappa was quoting the judgements was only to appeal to you to not feel helpless, but to feel that you have got enough powers to go ahead in the matter to improve upon what has been done by the previous Government. For example, the Hon. Minister was quoting the article 335 of the Constitution regarding efficiency. Section 335 of the Constitution is a positive section which is not in favour of efficiency. It starts from the claims of SCs/STs, if I remember correctly.

> "335. The claims of the members of the SCs/STs shall be taken into consideration, consistently with the maintenance of efficiency,"

This is about efficiency. There is also another section which provides for reservation. There are two things, one is, there should be firm determination to achieve this objective of giving adequate representation to these people at any cost. Another is any Government will have to fight and safeguard itself against the vested interest the inside beaurocratic set up which opposed this. The Hon. Minister was asking what I did regarding K.E.B? I confess, infact, I had confessed on the floor of the House, that, Inspite of best efforts some things were not set right. I tried my level best In fact everyone and even Scheduled caste employees Association is aware of it; you can find out from them. I do confess that it is a very difficult task to counter the vested interests. Because one is a Minister he cannot just turn out wonders. There are certain things wherein we cannot just find fault with each other. I have been a Minister; I know how the vested interests work. I am telling in good faith to go deep into it and take positive steps. We are not helpless. Even if the Constitutional provision comes in the way, there is scope for amending that also, as it isthere are enough judgements in this matter wherein the Government can take certain advantage and improve upon the earlier order and march ahead.

6–30 P. M.

Wherein the Government can take advantage and can certainly improve upon the earlier orders and march ahead towards ensuring an adequate representation to the SC & STs. So the determination, to implement guard against the vested interests. These are two aspects which the new Government should concern itself and should give top priority to apply their minds to these problems. These reservation orders could be improved upon and certainly this is not a party question. Unfortunately we are trying to find fault with

each other. I think it was Dr. Ambedkar himself who commented on the plight of the SC representatives that why they have not been able deliver the goods. I think ee commented and said : Because of the party system, what has happened is a SC representative represent the party to which he belong to his people, not his people to the party or Government. That is the sort of the tragedy ; that we cannot set right. So far as the welfare of the SC and STs is concerned, it has to be translated into action genuinely and we should see to it that it cut across the party llnes and march ahead.

MR SPEAKER.—Tommorrow the Chief Minister will be replying on t' is subject.

ANNOUNCEMENT

I have received a letter from Sri Kaup Sanjeev Shetty, Member, Legislative Assembly (Janatha Party) stating that he has resigned from Janatha Party and joined Congress (I) Legislature Party. I have also received a letter dated 5/5/80 from the Secretary, Karnataka Legislature Congress (I) Party stating that Sri Kaup Sanjeev Shetty has been admitted to their party. Arrangements will be made to change the seat of Sri Kaup Sanjeev Shetty.

The House stands adjourned to-day to meet at 1 P. M. tommorrow

The House adjourned at thirtyfive minutes past Six of the Clock to meet at One of the clock on thursday the 12th June, 1980.